



~~BANK. CUB. 81.~~

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ACTS AND PROCEEDINGS  
OF  
THE GENERAL ASSEMBLIES  
OF THE  
KIRK OF SCOTLAND,  
FROM THE YEAR M.D.LX.

COLLECTED FROM THE MOST AUTHENTIC MANUSCRIPTS.

PART SECOND. M.D.LXXVIII.—M.D.XCII.

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EDINBURGH, M.DCCC.XL.



AT a Meeting of the Committee of the BANNATYNE CLUB,  
held at Edinburgh, in the House of the President, on Friday  
the 3d day of July 1840 :—

It was stated by the President, that the Second Part of the Book of the Universal Kirk of Scotland, containing all that could be found of the proceedings of the General Assemblies of the Church, from the year 1577 to the year 1592, which forms an important era in the history of Presbytery, was now very nearly completed ; and that it would be desirable to have it circulated among the Members of the Club, without awaiting the completion of the third and last portion of the Work :  
RESOLVED,—That Part Second of the “ Acts and Proceedings of the General Assemblies of the Kirk of Scotland, from the year M.D.LX, collected from the most authentic Manuscripts,” printed under the superintendence of the President, be forthwith issued to the Members of the Club.



# THE BANNATYNE CLUB.

JULY, M.DCCC.XL.

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THE BOOKE  
OF THE  
UNIVERSALL KIRK OF SCOTLAND:  
WHEREIN THE HEADIS AND CONCLUSIOUNS  
DEVYSIT BE THE MINISTERIS AND COMMISSIONARES  
OF THE PARTICULAR KIRKS THEREOF  
ARE SPECIALLY EXPRESSED  
AND CONTAINED.



A. D. M. D. LXXVIII.

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THE Generall Assemblée conveyit at Edinburgh, the 24 day of Apryle, in the Magdalene Chappell, 1578: Wherein was present Commissioners of Countreyes, Kirks, Townes and Vuiverlities, with Ministers. Mr Andro Melvill, Moderatour.

At the Moderatours instance, the Assemblée appointit Mrs Johne Row, Robert Pont, James Lowfone and David Lindefay, to concurre and conferre with him at extraordinar houres, to advyse vpon sick matters as false thocht best to be proponit to the Assemblée.

Sessio 1<sup>a</sup>.

[Mr John Row, Minister of Perth, complained upon Mr Patrick Adamson, That he had given collation of a benefice lying within the bounds committed to his visitation, to David Hume, without his advice and consent: Mr Patrick granted he had given collation, but pretended ignorance of the Act of the Kirk in the contrair, and alledged a recommendation of the said person to the Generall Assembly; and that he being presented in the end of the last Regents Government, that he hastened the said collation lest he should have been prevented by others; submitting himselfe alwayes to the correction of the Assembly: The Assembly finds the act of the Kirk

transgressed herein, and ordaines the famen to be kept in tymes coming : and as for order to be taken with the said David, it was continued till his coming on Monday the 28th of this instant. C.]

Sessio 2<sup>a</sup>.

It was thocht good be the Assembly, that Mr Andro Hay, Johne Craig, Johne Duncanfone, shold be direct to the Kings Hienes Counsell, requyre and the Counsell to direct some of the same as Commissioners from his Hienes, to assist the Assemblie with thair presence and counsell ; quho returnit thair answer, That be reason of vrgent affaires they could not be present this day, bot the morne ther shold be twa deput to be direct to the Kirk.

Sessio 3<sup>a</sup>.

[George Johnston, Minister at Ankrum, complained upon Mr James Boyd, That he being Minister at Ankrum thir five or six years by past, the said Mr James, upon a presentation directed to him, gave collation to Mr Hector Douglass of the Parsonage of Ankrum, howbeit the benefice lieth not within the bounds committed be the Assembly to his Visitation, and without consent also of the Visitors of that part : The said Mr James declared, He had given the said Mr Hector collation of the said Personage, and had made the Commissioner foreseen in the matter ; but the other denied that he gave consent to his collation : The Assembly finds the act to be transgressed be the said Mr James Boyd, and ordaineth the same to be kept in tymes coming. C.]

It was ordained, That Bischops, and all vthers beand Ecclesiasticall function, be callit be thair awin names, or Brethren, in tyme comeing.

Anent the ordinance made in the last Assemblie, concerning the presenting of the Booke of Policie of the Kirk to my Lord Regents Grace : The brethren haveand commissioun thereto declarit, That they had presentit the same to him, with the supplicatioun appointit ; and ane day beand appointit to conference, the alteration of the Authoritie hes inter-

veinit: And alwayes, to stay corruption in the entrie of the Kings Majesties Government, they had presentit to his Hienes Counsell, a supplicatioun with foure Articles; ane, for obsevation of the Act of Parliament, touching sitch as beares publick office within this realme; ane vther, for putting ordour to the late murther in Striveling and Edinburgh; the thrid, for the Policie of the Kirk; the fourth, for support of the appeirand famein: Of the quihilks articles as yet they receivit no anfuier.

. . . . .

[The Articles, in a certain manuscript, fet down fully after this manner:

1. That substantiall remedy be found out for relief of the poor commons, in this present dearth.

2. That none be admitted to publick office, or Counsell, but such as have given confession of their faith, subscribed the articles of religion, and communicat at the Lords Table, conforme to the Act of Parliament made at Edinburgh, the 15 of December 1567.

3. That the Book of Discipline, or Policy of the Kirk, presented to the Regent, might be advised upon, and Commissioners chosen be the Secret Council, to reason and conferre with the Commissioners of the Generall Assembly, and that time be appointed thereto in the Kings Graces preface, before the time of Parliament.

4. That the Sabbath day be universally observed; mercats, playes, and all other impediments, which may hinder the people to convene to hear the word, be discharged.

5. That adultery, incest, murther, and other hainous offences, specially the late murther of the Chancellor at Stirline, be punished.

6. That no general Collector be chosen without the Kirks advice; but that the Kirk may intromett with their own third, according to the Act of Parliament. C.]

. . . . .

The hail Assembly thought the same meitt to be craved of the Counsell, and desyred my Lord Herreis and the Abbot of Deir present, of thair

opinioun concerning the said Articles : Whose anfuwer was, They came not to vote nor conclude, bot were directed be the Counsell to heir and sie the proceedings of the Assemblie, and alwayes fould infist at the hands of the Counsell for anfuwer to the saids Articles.

Anent the complaint made vpon David Fergusone, That he had overfein the executioun of the act made tuitching Mrs Thomas Bigger and George Bofwell, anent thair resorting to the Exercise of Dumfermling : The said David present declarit, That vpon thair promise to erect ane Exercise in Kirkcadie he slayit, quherin they have failzeit. The Kirk ordaines the said act to be put to executioun be him, as accordis.

#### Seffio 4<sup>a</sup>.

It was thought meitt be the brethren, that certaine fould be direct to my Lord Herries and the Abbot of Deir, to put them in remembrance of the anfuwer to the articles givin in to the Counsell ; and lykewayes [to require them] to demand of the Counsell, Whither they be direct to the Assemblie to give thair advyse in all things tending to the glorie of God and weill of his Kirk, or to heir allanerlie ; and if the brether finds it expedient, to propone the ane and the vther themselves to the Counsell : And to that effect were direct Mrs Andro Hay and David Lindefay, quho returning reportit, [touching an answer to the Articles,] That some difficulties are in the articles ; and for reasoning therof with sick as the Kirk will appoint therto, they have ordainit twa of the Counsell to concurre with them the morne at aught houres : As to the persons they direct to the Assemblie, they gave them no power as Commillioners of the King to vote in the Assemblie, for they had not spokin the King in this behalfe ; alwayes, as brether and members of the Kirk, they fall give advyse, counsell, and vote. The Kirk appoints Mrs Robert Pont, Johne Row, James Lowfone, Andro Hay, Andro Melvill and David Lindefay, to concurre with the deputes of the Counsell, to reason vpon the saids articles the morne at aught houres.

Forlameikle as the heids of the Policie beand concludit and aggregit in the last Assembly of the Kirk, be the most part of the brether ; certaine of the brether fand some difficultie and questione in that heid de Diaconatu, quher-



throw farther reafoning was refervit to this Affembly theranent : It was therfor requyrit that if any brether had any reasonable doubt or argument to propone, that he falbe readie the morne to offer his reafons, quher he falbe heard and refolvit.

It was ordained, That ane generall Faft be observed vniverfally within the kirks within this realme, to begin the firft Sonday of Junij nixt to come, and to continue quhill the nixt Sonday thereafter inclusive, with the accuftomit exercife of doctrine and prayers, and [that the Moderator and the brethren joyned to confult with him, advife upon the caufes of the Faft, and, to the end the fame may be the more folemnly observed, that] intimation be made heirof, with the tyme and caufes, to the King and Counfell, together with a fupplicatioun to his Grace and Counfell to difcharge be opin proclamation, all kynd of insolent playis as King of May, Robin Hood, and fick vthers, in the moneth of May, played either be bairnes at the fchools or others.

#### Seffio 5<sup>a</sup>.

The brethren appointit to conferre with the deputs of the Counfell touching the difficulties they had to propone agains the articles givin in to the faid Counfell, reportit, That the faid deputs willed the Affembly to name the perfons quhom they fufpectit of Papiftrie, and to direct from the number of the Kirk certaine brethren, to admonifch them to fubfcrive to the articles of the religioun, [prefented, confirmed and] prefentlie allowit be the act of Parliament, [within this realme,] and to participat the Communion ; and if they find diffobedients, to intimat the fame to the Counfell, and lykeways to proceed againft the diffobedients with the cenfures of the Kirk.

The Affembly nominat my Lord Chancellor, the Erles of Cathnes and Montgomerie, and my Lord Ogilvie ; and ordanit Mrs Johne Row and James Lowfone to communicat with the Chancellor ; and Mrs Johne Craig and Johne Duncanfone, with the reft ; and to report thair anfueris at fyve houres to the Commiffioners of Countreyis, [in the great kirk.]

[As to the fecond and third articles : no full refolution given, but delayed till five hours.

The obſervation of the Sabbath, taking away of the mercats, and ſuch lyke: The deputs thought meet, That a ſupplication ſould be given to the Council, with the judgement of the Affembly thereanent, whereunto the Affembly agreeing appointed Mr David Lindſay and John Duncanson to pen the ſamen betwixt and five hours.

As for the Collectorie, and Book of Policie, They ſhould take order before the time of the Parliament: It was answered, That it belonged to the Kirk to provide for the Collectory according to their own libertie, granted be act of Parliament.

As to the Policy: It was required that instantly time and place be appointed, perſons choſen to conferr with their Commiſſioners, that all things may be duely adviſed upon befor the Parliament: Upon this heid they promiſed to adviſe with the Council. C.]

Seſſio 6<sup>a</sup>.

According to the ordinance made yeſterday, all perſons that hes any reaſonable doubt or argument to propone agains the heids of the Policie, were requyrit to propone the ſame; and nane offerit any [reaſon or] argument in the contrair.

[The Affembly continues the Commiſſioners of Provinces in their office and charge of commiſſion till the next Affembly. C.]

Seſſio 7<sup>a</sup>.

Forſameikle as ther is great corruption in the eſtate of Biſchops, as they are preſentlie made in this realme, quhervnto the Kirk wald provyde ſome ſtay in tyme comeing, ſo farre as they may, to the effect farther corruptioun may be brydlit: Therfor the Kirk hes concludit, That no Biſchops ſalbe electit or made heirafter, befor the nixt Generall Affembly; diſchargeing all Miniſters and Chapiters to proceid any wayes to electioun of Biſchops in the meanetyme, vnder the paine of perpetuall deprivation from thair offices; and that this matter

be proponit first in the nixt Assemblie, to be consultit quhat farder ordour falbe tane therin.

Anent benefices vakand in the kirks quher ther is qualified Ministers ferving : The Kirk hes determinat and ordained, That no Visitors of Countreyes give collation of the saids benefices to any vther person by the Minister of the kirk quherof the benefice vaikes, quhill the nixt Generall Assemblie of the Kirk, vnder the paine of deprivation from thair offices : and if they be vrgeit be the Princes letters therto, to shew this ordinance for thair defence ; and that this fame matter be proponit in the nixt Assemblie, that ordour may be takin therin.

[Item to consult in the next Assembly, what order shall be taken with Ministers, who set fewes and takes of their benefices, or the Chaptours that consent thereto ; sicklyke with them that send their children to Universities where papistrerie is taught. C.]

### Sessio 8<sup>a</sup>

Forfameikle as the Generall Kirk hes thocht meitt that the travells tane be them vpon the Policie be presentit to the Kings Majestie and his Hienes Counsell : It was found good, That befor the copies therof were delyverit, they fould be ȝet rewewit and overlsein be Mrs Robert Pont, James Lowfone and David Lindefay ; and beand wrytin over according to the originall, ane copie to be presentit be them to his Hienes, with a supplication pennit be them to that effect, with ane vther copie to the Counsell ; the tyme to be at the discretioun of the said brether, so it be befor the generall Fast : And in cace conference and reasoning be craveit vpon the saids heids, the kirk hes nominat Mrs Johne Craig, Alexander Arbuthnot, the Laird of Dune, William Chrystefone, Johne Row, David Fergusone, Robert Pont, James Lowfone, David Lindefay, Johne Duncanfone, Andro Melvill, Andro Hay and James Greig, to concurre and conveine at sick tymes appointed be the King and Counsell, as advertisement fall be made to them be the said thrie brether ; and that the saids Commissioners at the said Conference reason also on the heid of the ceremonies ; and how farre Ministers may meddle with civill affaires, and if they may vote in Counsell or Parliament.

The Generall Assemblie of the Kirk finding the vniverfall corruption of the hail Eftates of the body of this realme, the great caldnelis and slack-

nes of religioun in the greateſt part of the profeſſours of the ſame ; with the daylie increaſe of all kynd of fearefull ſins and enormities, as inceſt, adulterie, murder, and namelie, recentlie committed in Edinburgh and Striveling, curſed ſacriledge, vngodlie ſeditioun and diviſioun within the bowells of the realme, with all manner of diſſordourit and vngodlie living, quhilk juſtlye hes [moved and] provockit our God, althogh long ſuffering and patient, to ſtretch out his arme in his anger and to correct and viſite the iniquitie of the land, and namely be the preſent ſeueritie of famine and hunger, joint with the civill and domeſtick ſeditiouns, quhervnto doubtles greater judgements muſt ſucced, if theſe his correctiouns worke no reformation nor [true] amendement in mens hearts ; ſeeing alſo the bloodie conſuſiouns of the cruell counſells of that Romane beaſt, tending to exterminate and raze from the face of all Europe the true light of the bleſſed word of ſalvatioun : For theſe cauſes, and that God of his mercie wald bleſſe the Kings Hienes and his regiment, and make him to have a happie and properous government, as alſo to put in his Hienes heart, and in the hearts of his noble Eſtates in Parliament, not only to make and eſtabliſh good and politick lawes for the weill and good government of the realme ; but alſo to ſett and eſtabliſh ſick a policie and diſcipline in the Kirk as is craveit in the word of God, and is conceivit and pennit already to be preſentit to his Hienes and Counſell ; that in the ane and the vther, God may have his due praife, and the age to come ane example of vpright and godlie living and dealing : [The Generall Aſſembly therefore hath concluded, That an univerſall Faſt ſhall be kepted through all the Kirks of this realme, to beginne the firſt Sunday of June next to come, and to continue till the next Sunday thereafter inclusive, keeping the accuſtomed uſe of exerciſe according to the Book of Public Faſting ; and that this act be intimat to the King his Maſteſtie and Counſell, and his Grace and Counſell humbly required to diſcharge be proclamatioun, all kind of inſolent playes, as Robin Hood, King of May, and ſuch like, in all perſons, as well ſcholars as others, under ſuch paines as they ſhall think good. C. & B.]

#### Sefſio 9<sup>a</sup>.

[The brethren appointit to travell with the Lords of the Kings Maſteſties Counſell, which were nominat by the Generall Aſſembly of the Kirk, ſuſpect

in religion, reportit, That the Erle of Cathnes defyrit to fie the articles of religion which he was desired to subscribe, and he should give his answer. My Lord Ogilvie declarit, That he had subscrivit the Articles of religion, and receivit the Communioun befor he past out of the countrey, and if any man doubted of his profession, he was content to subscribe the saids articles, and to participat the supper of the Lord. As to my Lord Chancellour and the Erle of Montgomerie, they had not commoditie to meit with them, and now are both off the Toun. The Assembly ordained the Ministers and Session of Edinburgh, or the Minister of the Castle of Stirling, to admonish and require the saids Lords to subscribe the Articles of religion presently professed within this realme, and to participat the holy Communion, in case they resort within their bounds: Otherways ordaines the Ministers and Sessions of these townes quher they fall happin to make repaire, to admonish them in lyke manner; and if they find disobedience, after due admonitions, to proceed against them with the censures of the Kirk. C. & B.]

Mr Thomas Smeitoun [Minister of Paisley] was nominat among the brether, to answer the bills.

#### Session 10<sup>a</sup>.

[It was proponed,] What false the punishment of communicants that violats the generall Fast: Answer, They shall make repentance twa severall Sondays; and according to the contempt in the violation, the paine to be aggravat.

The Convention next appointit at Edinburgh the 7 day of Julij next to come, in case the Parliament already proclaimit hold forward; vtherwayes, in case that the same hold any vther tyme betuixt and the twentie four day of October next to come, that the brether convene in the place quher it false holdin for the tyme, four dayes befor the same; and sailgeand of baith, vpon the 24 day of October next to come, within the towne of Edinburgh.

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A. D. M.D.LXXVIII.

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THE Generall Affemblie conveynit at Striveling and begun the xj day of Junij 1578: Where ther was present the Commissioners of Countreyes, Commissioners from Synodall Affemblies, Townes, and Vniverfities.

Sessio 1<sup>a</sup>.

In respect of the raritie of the Affemblie, [because the indiction therof at the last Affemby depended upon the tyme of holding the Parliament, which was prorogued, and transferred, and the time was so short, that the whole countrie could not be advertised,] the brethren that were conveynit, thocht best to meitt at two houres afternoone, and to sitt quhill fyve houres at noone.

Sessio 2<sup>a</sup>.

Exhortation beand made be Mr Andro Melvill, Moderatour of the last Affemblie, befor farther proceeding, question beand proponit, If this Affemblie be ane continuation of the last Affemblie, or ane new Affemblie: It was reafonit and concludit to be ane new Generall Affemblie. For electioun of ane Moderatour, Mrs Johne Row, David Fergusone and Johne Duncansone was proponit in leits, and be pluralitie of votes Mr Johne Row, [Minister at Perth,] was chosen Moderatour.

[That matters might be advifedly proponed and more conveniently handled, the Affembly] directit Mrs Robert Pont, James Lowfone, Andro Melvill, Johne Craig and Andro Hay to give thair counsell and communicat with the Moderatour in fick matters as falbe thocht beft to be refolvit at this Conventioun. C.]

Forfameikle as it hes pleased the goodnes of God to indue the Kings Majestie with zeale of his true religion, it was thocht very meit, That the Laird of Lundie, Mrs Johne Craig, James Lowfone, Robert Pont and Johne Row fould be directit to his Grace to crave that some were directit be his Grace to affist this Affembly the morne, at aught houres in the morning, and to report his Hienes anfuer.

### Seffio 3<sup>a</sup>.

Anent the Act made in the laft Affembly, the 28 of Aprile 1578, concerning the electioun of Bifchops, fufpendit quhill this prefent Affembly, and the farther ordour refervit thereto : The General Affembly, all in ane voyce, hes concludit, That the faid act falbe extendit for all tymes to come, ay and quhill the corruptioun of the Eftate of Bifchops be alluterlie tane away ; and that all Bifchops already electit, be requyrit particularlie to fubmitt themselves to the Generall Affembly [of the Kirk] concernin the reformation of the corruption of that Eftate of Bifchops [in thair perfones ;] quhilk if they refufe, after admonitiouns, excommunication to proceed againft them : quhilk fubmiffion the Bifhop of Dumblane willinglie offerit to the Affembly.

Anent the Act made in the laft Affembly, the 28 day of Apryle 1578, concerning the collation of benefices to vther perfons nor the Minifters of the kirks quherof the benefices vaikes, and the farther ordour to be tane in this Affembly : The Kirk [and Commiffioners] prefent hes farther [resolved and] concludit, That neither Bifchops, Vifitors, nor vthers bearing commiffion of the Kirk, give collatioun of benefices, by and agains the tenour of the faid act, vnder the paine therein conteinit, quhill the next Generall Affembly of the Kirk ; at the quhilk tyme this matter falbe proponed againe, that farder ordour may be tane therin

Anent the penaltie of Bifchops, Minifters, and vthers beand functioun in the Miniftrie, that fetts fewes and taks of thair benefices or ecclesiastick



livings, or any part therof, or Ministers in Chapters that gives thair consent therto, without the consent of the Generall Assemblie of the Kirk, agains the tenor of the acts made in Assemblie befor: The Kirk and Assemblie present hes [voted and] concludit, That the saids persons quhilk fall happin to contraveine the said act, false depyvit from thair offices and function in tyme comeing: [And because no less (injurie) and hurt is done to the Kirk be such as have no function in the Kirk, and yet possels kirk livings; the brethren have willed Mr Robert Pont, Mr David Lindsay, Mr John Craig, the Laird of Lundie and Mr Andrew Hay, to convene afternoon, and forme the ordour and act that fall be meet to be divided against such persons. C.]

Forfameikle as in the last Assemblie, commissioun was givin to certaine brether to present to the Kings Hienes and Counsell the heids of the Policie of the Kirk, with a supplicatioun vnto his Grace, the Kirk desyrit the report of thair brethers proceeding; quho exponit and shew, that, according to thair commissioun, they exhibit to the Kings Majestie a copie of the heids of the Policie, with the supplicatioun vnto his Grace, quho gave a very comfortable and good ansuer, That not only wald he concurre with the Kirk in all things that might advance the true religioun presentlie professit within this realme, bot also wald be a procurator for the Kirk: And thereafter his Grace presentit to the Counsell the said supplicatioun, quho nominat persons to conferre in the matter, and be his Majesties procurement obtainit of the Counsell, that they might choose so many Ministers to conferre, as was at length aggriev on: quhilk conference is ready to be shawin.

#### Sessio 4<sup>a</sup>.

The report of the Conference had be the Commiissioners appointit be the Kings Majestie and Counsell beand exhibite to the present Assemblie, it was thocht meitt to be red ovir.

As to the supplicatioun devyfit in the beginning of the Conference, twitching these that fall vote in Parliament in name of the Kirk: The Assemblie thocht the advyce good, and ordainit Mrs John Row and Robert Pont to pen the same, and to present it to the Assemblie on Monday.



Concerning the remnant observatiouns, ordourlie the Kirk proceidit as followes :

CAP. 1.

The aughteine article therof quhilk in Conference was defyrit to be made plaine, the Affemblie thinks it fenfible enough.

CAP. 2.

The thrid article agreeit conforme to the Conference.

CAP. 3.

The 7 article to be farther confiderit ; the 10 article thoght plaine in the felfe ; as to the 12 article, Agreeit it be frameit conforme to the Conference. Twitching the advyce craveit, What paines falbe put to non refidends : The Kirk thoght meit, That civil law be craveit, decernand the benefices to vaikie through non refidence.

CAP. 4.

The 9 article agreeit conforme to the Conference ; and the penaltie of perfons excommunicat, defyreit to be horning or captioun be fpecial aēt of Parliament, to be execute be the Thefaurer, Juſtice Clerk, or vthers, that the Kings Majeſtie and his Counfell pleaſe to appoint.

CAP. 5.

Aggreit with the two fupplicatiouns defyrit.

CAP. 6.

The perpetuitie of the perfons of the Elders aggriet conforme &c.

[Anent order to be tane for viſitation of Colledges, Schooles, and Hofpitals ; and the ſaid articles, with other articles to be given in be the brethren, to be ſeen and correctet be David Ferguſone, Mr Andrew Hay, and the Commillioners of Kyle, Cariēt, and Cuningham.

Commiffioners of Countries were appointed in this Affembly, as followeth :—

Mr Gilbert Fufie,	}	Orkney and Zetland.
Mr James Annand,		
Mr John Robertfon,	-	Rofs.
Mr George Hay,	-	Cathnefs.
Mr Patrick Auchinleck,	-	Murray.
Mr David Cunningham,	-	Aberdeen and Bamf.

Mr John Craig :—The Kirk of Boyn and Buchan from North.

John Strauchan,	}	The Laigh of Marr and Garioch, with the Kirks of the Mernes beyond the Mont upon the Water of Dee.
The Laird of Dun,		

William Chriftefon,	}	The High of Marr and Garioch, Angus and Mernes, except Kynmonth, Scone, Kynfawnes, Cambus-Michael, Kilspindie, Errol and Rait.
James Anderfon,		

Mr John Row :—The bounds of Dunkeld, with the Kirks of Sanct Andrews within Strathern, except the Kirks of Dunkeld within Fife and Angus, joyning to the faid Kirks.

To be vifit be the faid Mr John :—Kynmonth, Scone, Kynfawnes, Cambus-Michael, Kilspindie, Errol, Rait.

The Bifhop of Dumblane :—Dumblane.

Mr Patrick Adamfon :—Fife from Sanct Andrews to Levin.

David Fergufon :—From Levin to Cambuskenneth, the Kirks of the Diocels of Sanct Andrews, from Forth to Tay on both the fides of Newburgh, and therefra weft on the fouth fide of the Ochells, the Kirks of Sanct Andrews and Dunkeld.

Mr John Spotfwood :—Lothian from Stirling to the Water of Leith.

Mr David Lindfay :—From the Water of Leith to Cockburnfpeth.

John Clapperton :—Merce and Lammer Muir.

Mr Andrew Cleyhills :—Tiviotdale.

John Brand :—Tweddail.

Mr Andrew Hay :—Cliddifdaill, Renfrew and Lennox.

The Bifhop of Glaſgow :—Kyle, Cariet, &c.

Mr Peter Watfon :—Nithifdaile, Annandail.

Mr John Duncanfon :—Galloway. C.]

\* \* \* \* \*

patrimonie of the Kirk to the hurt and diminutioun of the rentalls therof, and to the prejudice of the old possesseurs of the same; certifieng them and every ane of them that dois in the contrair, that the censures of the Kirk and excommunication sould proceed against them; and this act to be extendit to all Chapters of every fort and condition that is vfit presentlie in this realme; and sikklyke against them that are receivers, directlie or indirectlie, of the saids fews, taks, or vthers dispositiouns quhatsumevir; and the contraveiners to be accusit befor the Generall or Synodall Assemblies, or thair Commissioners appointit be ather of them to that effect, and intimatioun to be made heirof be all Commissioners and Ministers in every paroch kirk; and that in respect of the great inconvenients knowin to the Kirk, agains the Kirk, schooles, and the multitude of the poore quhilk daylie increaseth and dies miserablie through the occasioun forsaid.

The next Assemblie to be in Edinburgh the 24 of October next to come; and if ther be ane Parliament betuixt and the said day, the Assemblie to be quher the Parliament beis, twa dayes befor the same.

A. D. M.D.LXXVIII.

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THE General Assemblie conveyit at Edinburgh, the 24 day of October 1578, in the Nether Counsell house: Quher ther was present the Commissioners of Countreys, Provinces, Townes, and Vniverfities.

Exhortation made be Mr John Row. Leits, Mrs Andro Hay, Thomas Smeitoun, David Fergusone: The said David was chofen Moderatour be pluralitie of votes.

Sessio 1<sup>a</sup>.

[For the better expedition of matters in the Asseembly, it was thought meet, that the Moderator convene with Mr James Lowfone, Mr Andro Melvill, Mr Johne Row, Mr Andro Hay, Mr Thomas Smeitoun, Mr Johne Craig, Mr Robert Pont, every day at 7 hours in the morning, and two afternoon, in Mr James Lowfon his gallery, to conferr and advise upon such things as shall be thought meet to be proponed to the Asseembly.

Becaus that divers noble personages were present within the town, whose prefence was necessar to the Asseembly; the Asseembly desired their brethren, John Durie, John Brand, Andrew Kerr of Foudonside and the Laird of Braid, to goe to their Honours and require their prefence. C. & B.]

Sessio 2<sup>a</sup>

In respect that at the desyre of the Assemblie, certaine of the Nobilitie were conveyit, viz. my Lord Chancellour, the Erle of Montrois, my Lord Seatoun, my Lord Lindsay, it was exponit and shawin [unto them] be the Moderatour of this Assemblie, in name of the Kirk, quhat care and studie the Kirk of God had tane to intertaine and keip the puritie of the sincere word of God vnmixt with the invention of their awin heids, quhilk thair specciall care was to preserve to the posteritie heirafter : And seeing that the true religioun is not able to continue nor indure long without a good discipline and policie ; in that part have they also imployit thair witt and studie, and drawin foorth of the pure fontaines of Gods word, sikk a discipline [and policie] as is meitt to remaine within the Kirk, quhilk they presentit to the Kings Majestie, with thair supplicatioun ; at whose directioun certaine Commiissioners were appointit to reason with sikk as were deput be the Kirk ; quher the hail matter beend dispute, was resolvit and aggreit to a few heids, and therafter againe presentit to the Lords of the Articles, that the said discipline might take place and be establisht be the actis and lawis of the realme ; quherin, nottheles, thair travell hes not succeidit ; prayand therfor the Nobilitie present, alswieill oppinly to make professioun to the Kirk, if they will allow, affirme and mantaine the religioun presentlie establischt within this realme, as also the Policie and Discipline already spokin of ; and labour at the King and Counfells hands for ane answer to the heids after following, to wit : That his Grace and Counsell will establisch such heids of the Policie as was already resolvit and aggreit vpon be the saids Commiissioners, and cause sikk vthers as was not finallie aggreit, to be reasonit and put to ane end ; and that his Grace and Counsell will restore the Kirk to [the benefit of] the act of Parliament concerning the thrids ; and that none vote in Parliament for the Kirk, except such as fall have commiission of the Kirk for that effect ; and that presentations of benefices be directit to the Commiissioners of Countreys quher benefices lyes : And to the effect that the matter may be the better and sooner exped, that thair Lordships wald appoint sikk tyme convenient therto as they may best spare, that sikk of the brether as beis namit therto, may awaite vpon thair Honours. Heirvnto the Noblemen answierit, That a part of them had made publick professioun of this

religioun befor, and alwayes now they declare they confesse the religioun presentlie profest within this realme, and fall maintaine the same to thair power: As to the rest they thinke good the King and his Counsell be sinit, and they fall assist with the Kirk for answer therto: the tyme to that effect [they shall notifie] to the Kirk the morne.

Sessio 3<sup>a</sup>.

The Commissioners of Provinces were called, the absents noted; Mr Patrick Adamson his excuse rejected: The rest who were present, were tryed. Mr John Robertson, Minister of Ross, was delated, That he had remained almost this half year in Edinburgh, so that he neither discharged his commission of Visitation, nor his office of the Ministerie. He answered, That he had some actions depending before the Lords, and other weighty affairs, which stayed him; that beside the supply of certain brethren at his kirk, he had licence of the Bishop of Ross; and that he knew nothing of the commission. The Assembly willed him to return again to his cure with all convenient diligence.

Mr James Boyd, Commissioner of Kyle, Carick, &c., was desired to submit himself to the Generall Assembly, for reformation of the corruption of the state of a Bishop in his person, according to the acts of the Assembly; farther he was accused of negligence in his visitation; negligence of preaching at the kirk of Oswald, which he had taken to be his particular kirk; slackness of discipline; and that he had given collation to Mr Hector Dowglas of the benefice of Ankrom, with command to the Reader to give him institution thereof, there being another Minister there actually serving the cure at the said kirk. To the first demand, Mr James answered, He understood not the meaning of the said act concerning submission; likewise he was content to offer such reasons to the Moderator and the brethren that consult with him, as either they may be satisfied in the said point, or be their better reasons he may be persuaded to yield. The Assembly appointed him to be present with the said brethren and Moderator, upon Monday at 7 hours in the morning, in Mr James Lowsons garrie. As to his non visitation, he granted, He had not visit Kyle and Cunningham for deadly feeds there, and desired to be disburdened of that charge, and his visitation to be limited to him about Glasgow. As for

preaching, He had preached at the kirk of Ofwald when he was in the countrey, and other times at Glasgou, and craved of the Assemblie, that he might travell at Glasgou. As to the last, answered, It is the common forme of collations that he kept.

Mr John Row delated, That he had not put in execution the acts of the Assemblie against Lady Atholl. He answered, That he had taken some travell in that behalfe, yet because the Erle himself had adjoyned him to the religion, he wold not be rash till he had farther resolution of the Assemblie. Four brethren are directed to the Erle to require his judgement anent the best mean to bring her to the religion; and to demand, what tyme the Commissioners of the Assembly, who are to be direct to the Kings Majestie and his Council, shall await on his Lordship and the rest of the Noblemen that were to pass thither. To the first he answered, That the readiest way was the hearing of the word, and privat conference, wherein he should use diligence. As to the other demand, he thinks it meet, They goe forward with their purpose, whether he goe to Stirling, or not, because he was uncertain; but if he be present, he shall assist their Commissioners, as he promised.

Sessio 4<sup>a</sup>.

Anent the complaint made of certain brethren of the Ministry, that had left their own flock, and some simpliciter the function of the Ministry, viz. Alexander Winchester, Minister in Elgin, left his flock of Elgin, and now preacheth in Stirling; Mr Patrick Auchinleck having a benefice in Murrey, serveth not there; Mr John Colvill, Minister at Kilbryde, had left the Ministry; Mr Patrick Dowglas, Chantour of Murray, Mr Gilbert Gardin, non residents: All which persons being called, the said Mr Patrick being present, was commanded to enter to his cure in Murrey, as he will be answerable to the Assembly. He promised to obey. Mr John Craig answered for Mr Gilbert Gardin, That his benefice is given up vacant. The rest not compearing, the Assembly give their full power and commission to their brethren directed with commission to the King, to summond the said Mr John Colvill, and the Minister of Elgin, if he be at Stirling, to compear before them at Stirling at such other days as they think good, to answer for the leaving of their flock, and Ministry



respectivé, and to put order to them according to the acts of the Generall Assembly, as they will answer to the Assembly on their duty, and that betwixt and the next Assemblée; and if the said Minister of Elgine be not there, Ordaines the Commissioner who shall be nominat to visit his Countrey, to call the said Minister before him, at such dayes as he thinks good, and to proceed against him for his non residence, according to the acts of the Assembly, and to try the slander given be him, and after just triall thereof, according to the said act, as also the Commissioners of the remanent persons above specified not resident, to take sicklyke order with them according to the acts of the Kirk, as they will answer upon their office. C.]

Selfio 5<sup>a</sup>.

Anent the act made in the last Assemblée concerning the suspension of Visitors fra giving of collatioun of benefices to any person by the Ministers serving actually at the kirks quher the saids benefices lye: The Kirk ordaines the said act to stand in full effect and strength quhill the next Assemblée, quher the matter beand newlie proponit may be farther resolvit.

[Anent the Commission given to the Ministers of Edinburg, Mr David Lindsay; Mr Robert Pont, David Fergusone and John Brand, to summe Mr Patrick Adamfone, Commissioner of a part of Fife, and Mr Robert Hammilton Minister at Sanct Andrews, to have compeared before them in Edinburgh, and to try the abuses of the Fast in Sanct Andrews, committed be their negligence; and other complaints to be given in against the said Mr Robert; and sicklike to try if the said Mr Robert hath obeyed the ordinance and decret of the Kirk concerning the leaving of the Provostrie of the New Colledge, and to receive his answer therein; wherein if they find no reason to stay the execution of the said sentence, to proceed, and put the same in execution, according to the tenor thereof, as the said commission beareth. The said Commissioners being present, and required what they had done touching the premisses, granted the same was not executed, pretending some excuse: Therefore the Assemblée gives and committs of new the said matter to their said brethren, requiring them with possible diligence to put the same into due execution, as they will answer upon their duty to the Kirk: And farther of new gives commission to their



saïd brethren, to accuse the saïd Mr Patrick of the transgressions committed be him against the tenor of his submissioun, and to receive answer theranent ; as also charge him to remove the corruptions of the state of a Bischop in his person, particularly to be given in to him ; and if he refuse, after admonitions, to be excommunicat be the persons, who shall be appointed be them to that effect. C.]

Anent the submissioun of Mr James Boyd, Commissioner of Kyle, Carreck &c., to the Generall Assemblie, conforme to the act made in the last Assemblie, and the reasoning had be him with the Moderator and brether appointit therto : The forsaïd brether being present thought best he should publish his awin answer to the haill brether for satisfactioun of them, quho gave in his answer in wryte as followeth.

First, I vnderstand the name, office, and modest reverence borne to a Bischop, to be lawful and allowable be the Scriptures of God ; and beand electit be the Kirk and King to be Bischop of Glasgou, I esteime my calling and office lawful. And as anent my executioun of that charge committit to me, I am content to endevore at my vttermost abilitie to performe the same and every point therof, and to abyde the honorabill judgements of the Kirk from time to time, of my offending by my dewtie ; craveing alwayes a brotherlie desyre at thair hands, seeing the charge is weghtie, and in the laying [any thing] to be laid to my charge, to be examinat be the Canon left be the Apostle to Timothie, 1 epistle and 3 cap., seing that place was appointit to me at my receipt, to vnderstand therfra the duties of a Bischop.

As toward my living, and rents, and vthers things granted be the Prince to me, and my successors, for the serving of that charge : I reckon the same lawful.

As to my dewtie to the Supreme Magistrate : In assisting his Grace in Counsell or Parliament, beand cravit therto, I esteime my subjection compells me to obey the same ; and [that it is] no hurt but a weill to the Kirk, that some of our number be at the making of good lawes and ordinances : In the doing quherof, I protest befor God, I intend never to doe any thing but that I believe shall stand with the puritie of the Scripture, and a weill reformat cuntry ; as also a good part of the living I bruik hes been given for that cause.

Quhilk being red in oppin Assemblie and considerit, after voting of the haill brether, was adjudgeit to be no answer to the Act, nor to satisfie the

desyre therof; alwayes he was requyrit that he sould returne at afternoone with better adyce as the Kirk wisched at God he sould doe.

[Mr Hector Douglass, to whom he had given collation of the benefice of Ankrum, being tryed be Mr John Craig and Mr Thomas Smeton at the command of the Assembly, they reported, He was yet rude in the principles of religion: He was ordained the morn at 7 hours, to give a proof of his gift in teaching before the said brethren and some others. C.]

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### Sessio 8<sup>a</sup>

[It was ordained as followeth: Forfameikle as there are divers persons within the Ministrie, that being deposed from their functions of the Ministrie be the Generall Assemblie of the Kirk, and sicklyke be the Commissioners of the Countries for offences committed be them, bruiks still the benefices and ecclesiastical livings wherupon others should be sustained, that may travell in the Ministrie of the word: Therefore C.] The Assemblie hes vottit and concludit, That all sick persons as are already, or heirafter falbe deposit for thair offences from the functioun of the Ministrie, falbe chargit be the Commissioners of the Countreys to dimitt the said benefices and livings possesit be them, to the effect vthers may be provydit therto that may travell in the said functioun, vnder the paine of excommunication to be execute agains them; quherin if they failgie, after admonitioun, to proceed to the sentence of excommunication agains them, vnder the pain of suspension of them from the functioun of the Ministrie dureing the will of the Kirk: and that this act be execute agains the Bischop of Dunkeld, and the Minister of Saline, be the Commissioners of the Countrey quher they dwell, betuixt and the nixt Assemblie, under the paine forsaid.

Forfameikle as the Bischops are to be chargeit to remove the corruptiouns in that estate, the Kirk nominat the speciall corruptiouns quhilk they desyre sick as will submitt themfelse to the said Assemblie to correct, with promise,

that if the Generall Kirk heirafter fall find farther corruptions in the said estate nor heirto is exprest, that they be content to be reformat be the said Assemblie according to the word of God, quhen they falbe requyrit therto :

1. That they be content to be pastors and minifters of ane flock.
2. That they usurp no criminal jurisdiction.
3. That they vote not in Parliament in name of the Kirk, without commission from the Kirk.
4. That they take not up, for the maintenance of thair ambitioun and ryotousnes, the emoluments of the Kirk quhilk may sustaine many pastors, the schooles, and the poore, but be content with reasonable living according to thair office.
5. That they claime not to themselves the titles of Lords temporall, neither vsurp temporall jurisdiction ; quherby they are abstractit from thair office.
6. That they impyre not above the particular Elderschips, but be subject to the same.
7. That they vsurp not the power of the Presbyteries.
8. That they take no farder bounds of Visitation nor the Kirk commiteth to them.

The Assemblie [in respect that Mr Hector Dowglafs was admitted be the Bischop of Glasgou, who had no jurisdiction in these bounds, being otherwise also untryed be him ; and thereafter the trial of his doctrine being committed to certaine brethren having commission thereto in Stirline, and refused be him ; and being after examined be certain of the brethren upon the rudiments of religion, and being found rude therein ; as also in respect of his continuance in not compearing this day, as was appointed be the Generall Assembly, to give specimen of his doctrine ; hath depyryt, and] deprives Mr Hector Dowglafs from his office and function of the Ministry as voundit and vnabill therfor, and ordains him to be chargeit be the Commissioner of the Countrey to dimitt his benefice ; and if he refuses, after admonitions, to proceed to excommunication agains him, vnder the paine of suspensiou of the said Commissioner fra his office of the Ministrie dureing the will of the Kirk.

Forfameikle as there is diverse persons within this realme that sends thair children beand within age, furth of the countrey over sea to places

quher superstitioun and papistrie is maintained, vnder pretence of feiking farther instructioun and learning ; as also vthers beand of perfyte age, transports themselves out of the realme vpon the same pretence, quherthrow, for the most part, they become corrupt in religioun, as be evident experience is daylie seie : For remeid heirof, the Generall Assemblie has advyfit and concludit, That the parents of sick children as within thair minoritie send them to the saids places, or heirafter shall send them quher the said papistrie is teachit and mantainit, salbe chargit be thair awin Ministers respectin , to call back thair children from the saids places with all convenient expeditioun, vnder the paine of excommunicatioun ; and if they disobey, to proceid with the excommunicatioun agains them : and that s ck as are of perfyte age, that already are past out of the countrey to the saids places, or, in tyme coming, shall pass therto, shall in lyke manner be chargit to remove themselves therfra, vnder the semblable paine to be execute agains them ; and if they disobey, to be excommunicat be the Minister of the place quher they remainit befor thair departing out of the countrie.

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A. D. M. D. LXXIX

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THE Generall Affemblic conveinit at Edinburgh, in the New Kirk, and begun the 7 of Julij 1579: Quherein ther was present the Commissioners of Countreys, Provinces, Townes and Universitities.

Sessio 1<sup>a</sup>.

Exhortatioun made be David Fergusone. Leits, Mrs Andro Hay, Thomas Smeitoun and Johne Duncansone: be pluralitie of votes the said Mr Thomas was chosin Moderatour hac vice, [who desired certain of the brethren to concurr, and give their advice to him in matters to be handled at this Convention,] at whose desyre the Laird of Dunne, Mrs Johne Row, Andro Melvill, Androw Hay, James Lowfone, Robert Pont, David Fergusone, John Greig, [and the Minister of Dundie] were appointit Affessours, [to conveen every day with him, at 7 hours in the morning, in Mr James Lowfons gallrie, and at two after noon, and to continue so, till the end of the Assembly.]

Sessio 2<sup>a</sup>.

In face of the Assemblie, Mr Johne Duncansone, the Kings Majesties Minister, presentit his Hienes letter direct to the Assemblie, quhilk was red and humbly receivit, and ordained to be registrat in the Register of the Kirk, quherof the tenour followes :

Richt trustie and welbelovit, We greit you heartlie weill. Vnderstanding of your present Assemblie at Edinburgh, and for the rumours that passēs of some things to be intreatit among you, that may seime prejudiciall to that good ordour of the government of the Kirk and ecclesiasticall policie heirtofoir lang travellit in and hopeit for, We have takin occasiō to shew our mynd in this behalfe to the Minister of our awin house and some vthers of your awin number happening to be present with Vs, quhom in this cause We have thocht meitest to vse as our awin messingers to carie our letter, quherby We heartlie delyre you and effectuouslie admonisch you, that in this our gong age, the tyme beand subiect to so many difficulties and imperfectiōns, to bestow your common care and good will to intertaine peace and quyetnes in Gods feare and our due obedience ; forbearing any proceeding at this tyme, that may touch matters heirtofoir not concludit be our lawis or receivit in practise : But quatevir in the former conferences touching the policie of the Kirk, was remittit to be reasoned and decydit be our Estates in Parliament, let it so rest without prejudging the same with any of your conclusiōns at this tyme, since our Parliament now so shortly approaches, and that We are weill pleasit [and content,] that before the same sick matters as are not get fully reasonit, may be farther consultit vpon and prepared to passe in forme of laws, and the meitest for that worke to be expresselie employit therin ; to the end that the things conferrit and aggreit vpon may be presentit to our Estates, to be approvit in our said Parliament, and due execution to follow thereon for the advancement of Gods true religioun, and the repose of you and vthers our good subiects, the members of the Kirk of God within this realme : And for this cause, that ge will not only be the authors and perswaders of commoun peace and concord amongst all of your awin function, but amongst all vthers our subiects, asweill generallie as in the particular kirks quher ye travell, that some men ovir buffie to worke the contrair effects, may find themselves dissapointit ; and that our haill estate, be your example, may be rather dis-

poſit [to conforme] themſelves to a godlie and a peaceable courſe of living, quhilk we are aſſured ſalbe pleaſing to God, and to Vs wilbe moſt acceptable, as ge may perſwade your ſelves of our willing inclinaioun to ſett forward this actioun according to Gods will and word, with all the diligence and good meanes that may be uſed : And ſo looking to be informed of the ſucceſſe of this our reaſonable requeiſt and admonition, We commit you to the protectioun of God. At our Caſtell of Stirling, the 5 day of July 1579. Sic ſubſcribitur James Rex.

Directit To our truſtie and welbelovit the Miniſters and vthers of the Kirk preſentlie aſſemblit at Edinburgh.

[The Commiſſioners of Countries being removed for triall, it was laid to John Clappertons charge, That he had ſimpliciter refuſed the commiſſion of the Aſſembly, and had uſed no viſitation : He answered, That he had not ſimpliciter refuſed the commiſſion, but in terms had declared oſt to the Aſſembly, that he might not bear the charge for good reaſons which were not heard, granting alwayes he had not made viſitation ; firſt, Becauſe he found no concurrence in the Countrey ; be reaſon of the ruine of kirks which he could not get repaired, albeit he had letters to that effect, becauſe he durſt not execut the ſame ; 3dly, Nemo in ſua patria propheta, therefor a ſtranger would doe more good in theſe places nor he being native in theſe bounds.

Mr Peter Watſon was accuſed for not viſiting the bounds committed to him ; and that being informed how Mr Gilbert Broun, Abbot of New Abbey, and Mr Ninian Dalzel had intiſed the people within theſe bounds to papiftrie, and yet made no tryal thereof ; 3dly, That there yet ſtands an high altar in the New Abbey. He grants he had viſit only within fix miles to Dumfries, the reſt of the country being deſtitut of Miniſters through depolition of many, ſome be the Generall Aſſembly, ſome be the Synodal ; grants, that the monument of idolatrie yet ſtandeth ; as for Mr Gilbert and Ninian, they were to be called before the preſent Aſſembly.

### Sellio 3<sup>a</sup>.

Anent the complaint made upon Mr Thomas Cranſton, Miniſter at Libertoun, That he had left his flock there, departed from them to another kirk, and taken up the living of the interim : The Aſſembly, in reſpect



of his absence, gives commission to the Commissioner that shall be appointed over Edinburgh, and that part of Edinburgh, with assistance of the Minister of Edinburgh, to call the said Mr Thomas before them, and to cognosce upon the said complaint, and to put order thereto, as effects.

Anent the complaint made upon John Sinclair, Vicar of Boltoun, That having purchased a presentation of the said benefice, after that he had required Mr David Lindsay, Commissioner for the bounds, where the said benefice lieth, to give him collation thereof; being refused by him because of the acts of the Kirk, purchased a new presentation to the Bishop of Sanct Andrews to the same effect, with charges to him, under the pain of horning, to give him collation, at whose hand be an Attorney he received collation; as also institution by Attorneys, who brake up the kirk doors, as was alledged, and entered by force therein: The Generall Assembly, after calling of the said John, ordained him to produce his presentation, collation and institution of the said benefice before them the morn to be considered.

#### Sessio 4<sup>a</sup>.

Anent the ordinance of the last Assembly concerning Mr John Colvils non residence: The Assembly committs the execution of the said ordinance to the Commissioner for the bounds where the kirk lyeth, with the assistance of the brethren of his Exercise; and that the same be executed with all diligence, as they will answer to the Kirk.

Anent the Reader of Edelfton, alledged not placed be any Commissioner of the Kirk: The Assembly found, That the Commissioner of that Country have tryal of his qualities and life; and if he find him able to serve the cure, to admitt him, and cause him to be booked; otherwise to reject him, and discharge him of his office. C.]

Touching the Epistle presentit be Alexander Arbuthnot to be prefixt to the Byble: The brether hes desyrit the Moderatour and his Assessours to reid and consider the same, together with the Calender to be presentit be Mr Robert Pont, and to give their judgements thereof the morne.



Sessio 5<sup>a</sup>.

[Mr Ninian Dalyell, Schoolmaster of Dumfreis, compeared, and was accused, That he had privilee professèd papistrie, and had corrupted the youth with erroneous doctrine in fundrie points; and, namely, that he had alledged, that the sacrament cannot be ministred but be a priest, had affirmed the reality of the sacrament, the visibility and succession of the Kirk, and other like heads: He answered, That he had never affirmed such heads, and craved only reasoning and conference upon the visibility and succession of the Kirk: As to the rest he doubted not.

Mr Gilbert Broun was accused, That having participat of the sacrament in Sanct Andrews, subscribed the articles there, and yet had made apostacy again: It was therefore ordained, be vertue of the said admillion, he should underly the censures of the Kirk. C.]

Anent the buriall of the bodie of the Erle of Athoill of good memorie: The Kirk thought meit to direct from the Assemblie Mr Johne Row and Johne Durie [to the Lords] to desyre of them, that all superstitioun be avoidit therat; quho reportit that they had made information to thair Honours, That the brute was of some superstitious rites, quhilk were prepared for the buriall, as a whyt crosse in the mort claith, lang gownes with froupes, and torches; quher ansuer was, That it was not a crosse, and grantit the gownes, and denyit the torches; alwayes desyrit the Kirk to direct two to lie, if sick things as was prepared were superstitious, and they could be reformat: according quherto were immediatlie [sent to them] David Fergusone, John Brand and Johne Durie, to declare, The Kirk thought the crosse and the froupes superstitious and ethnick lyke, and desyrit them to remove the same; quho returnit with ansuer, That the Lords should cause cover the mort claith with black velvett, and the froupes should be removit.

Anent the act made in the last Assemblie concerning the suspensioun of Visitors fra giving collatioun of benefices to any person by the Ministers serving actually at the Kirks, quher the saids benefices lye: The Assemblie ordaines the said act to stand in full effect and strenth quhill the next Assemblie, quher the matter beand newlie proponit, may be farther resolvit.

The brether thought good, that the late conference, haldin at Stirling be

fick as the King appointit therto, fould be red, fein and conferrit with the Booke of Policie, to fie quherin the faid conference aggries with the conclufioun already of the Kirk.

## CAP. 1.

Concerning the doubt made vpon the fecond article of the faid cap. : The Kirk explaines that article, and declares, it is vnderftood both of the Particular Presbytrie and Generall Kirk.

The fourth article is thocht plaine enough.

Aggriet to the delatione containit in the fixt article.

The nint article, the Kirk thinks good it ftand as it is in the Booke.

And the twelve ficklyke.

13, The Kirk eiks to the word gouernement this word, difcipline.

The tent article to remaine vnalterit.

Seflio 6<sup>a</sup>.

The Kirk prefent willit [their brethren, to wit,] Mrs Andro Melvill, Andro Hay, Johne Craig, William Chriftefone and the Laird of Lundie to conueine in the place of the Affemblie, and to vilite the anfuer givin in be Mr Patrick Adamfone, to the removing of the corruptions in the Eftate of Bifchops, and to give thair judgement thervpon the morne.

Seflio 7<sup>a</sup>.

[Anent the apoftacie and defection of Mr Ninian Dalyell, Mafter of the Grammar School of Dumfries, from the true religion of Iefus Chrift professed be him before, and corrupting the youth of his fchool with papiftrie, confessed in prefence of this Affemblie:] The Affemblie, [after good deliberation, and] weyand the apoftacie of Mr Niniane Dalyell Mafter of the Grammar School of Dumfries, deposit him fimpliciter from the function of the Miniftrie in tyme comeing, and fufpends him from teaching the fchoole and gouth, quhill as good experience be had of them of his good lyfe and behaviour, as they have of his defectioun [and apoftacie ;] and, in the meane tyme, ordaines ane of the Doctours in the fchoole, if he be found

in religioun, to teach the schoole of Dumfreis [during that tyme ;] and farder ordaines him publicklye, in face of the haille Assemblie, to confesse his offence, and thereafter to passe to the towne of Dumfreis, and vther parts of the countrey quher he hes abused the simple peiple ; and lyke-wayes publicklye in presence of the Commissioner confesse the same, revoke and the saids errours, and professand the contrair, craveing God and his Kirk pardon therfor, and that immediatly after his and the Commissioners hame passing, vnder the paine of excommunication.

[Anent the commission given to the Ministers of Edinburgh, and certain other brethren and their colleagues, concerning the charging of Mr Patrick Adamson to remove the corruptions of the state of Bishops in his person, and tryal of certaine complaints made upon him ; and also concerning Mr Robert Hamilton, as the commission given in the last Assembly beareth : The Generall Assembly, after publick reading of the process led be the said brethren, and of the particular answer made be the said Mr Patrick to every head of the said corruption, as alwa after reasoning had be Mr James Martin, Master of Salvators Colledge, Commissioner for the Univerfity, with the said Mr Robert, in one voice give power and commission to the said brethren, Commissioners of before, to goe forward in the said commission given to them in the said last Assembly, and to charge him yet to remove the particular corruptions, whereunto he had not agreed yet in his answer ; and if he refuseth, to execute their former commission in all points : As likewise gives power and commission to their said brethren to summond the said Mr Patrick to compare before them in Edinburgh, at a reasonable day, with convenient diligence, and to charge him with the particular offences following, to wit, That he having submitted him to the Assembly of the Kirk, immediately after his submission, past and voted in Parliament ; secondly, That he had given collation to John Sinclair of the Vicarage of Bolton, having no power of Visitation ; thirdly, That he had agreed to all the heads of the Policie, except four, and yet came against the samen ; fourthly, Had caused remove Mr Alexander Jerdan from the kirk of Monymaill, being his own kirk ; fifthly, Had commanded a Reader in Fife resign the manse and kirk land to another : and upon all these several heads to receive his several answers, to be reported again to the next Assembly. C.]

Sessio 8<sup>a</sup>.

Anent the Bischops or Commissioners of Countreyes that absents themselves from Generall Assemblies at the tyme appointit: The Kirk hes ordainit the act made the 12 of August 1575, to be execute against them; and namely against Sanct Androes, Murray and Aberdein, all absent; and the said act not only to be vnderstand of Bischops haveand office of Visitation appointit to them be the Kirk, but sikk also as hes not the said office.

[Anent the commission given to Mr David Weemes to charge Mr James Boyd called Bishop of Glasgow, to remove the corruptions of the state of a Bishop in his person, &c.: For shewing his diligence in this behalf, the said Mr David produced an act subscribed with his hand, dated at Glasgow the 8th day of June 1579, where he willingly agreed to the act of the Assembly, made at Stirling the day of 1578, to wit, According to the duty of all faithfull Pastors he submitts himself in all points. C.]

\* \* \* \* \*

Anent Jesuites remaining in the country: The Assemblée present hes vottit and concludit, That the Commissioners of Provinces take tryall, and diligentlie inquire, if any sikk persons resort within the bounds of thair office; and if any be found, to charge [and command] them straitlie to give confessioun of thair faith, revocke thair errors, subscryve the articles of religioun presentlie establischt be the mercy of God, within this realme; and if they refuse, to proceed with the sentence of excommunication against them, besyd the civill punishment to be askit of the Kings Hienes; and that this act be execute against Mr Johne Hay.

Ordaines a supplication to be made to the King and his Counsell, That good ordour may be takin with the Vniversitie of Sanct Androes, and the corruptione reformed and tane away; and to that effect, that his Hienes and his Counsell wald direct some wise, godly and learned men to consider the estate [thereof,] and direct letters charging the Masters and Regents of the said Vniversitie to produce to sikk as his Grace [and Counsell] shall nominat, with the brether efter specifeit, in name of the Kirk, viz. Mrs Robert Pont, Johne Row, Andro Hay, Andro Melvill, Thomas Smei-

toun and Thomas Buchannan, Minifters, the foundationns of thair Colledges to be fein and confidderit be them. To the quhilk brether the Kirk for thair pairt gives commiffion to concurre with the Kings Majesties Commiffioners, to take ordour [with,] and redrefle all fuch corruptiouns and defaults as appertaines to the Kirk, and in fo farre as they may doe.

Seffio 9<sup>a</sup>

Mafter Niniane [Dalyell] produceit to the Affembly his opinion concerning the heids of the religioun quhilk are in contraverfie, fubferivit with his hand, aggrieing in all points with the opinion and judgement of the Kirk; proteftand befor God, that, for no favour nor feare of flefche, he affirmed the doctrine conteinit therin; bot is alwayes myndit to die and live in the fame.

[Anent the Commiffioners over Provinces: Seeing the brethren travell for the moft part upon their own expenfs, and thereby the Kirks are not fo carefully vilited as duty requireth; therefor the Affembly thought meet, That in the fupplication to be given in to the Kings Majestie and Council, be defired to make reasonable provifion for them, either out of the thrids of the benefices, or the two parts; whofe names elected till the next Affembly followes:—

Mr Gilbert Foulfie, } Orkney and Zetland.

Mr James Annand, }

Mr George Hay :—Rofs.

Mr Patrick Auchinleck :—Murrey.

David Howiefon, } Boyn and Buchan from Etham, North.

Mr George Hay, } The High of Marr and Garioch.

Mr George Paterfon :—The Laigh of Marr and Garioch, with the

Kirks of Mernes beyond the Mount upon the Water.

The Laird of Dun, } Angus and Mernes.

William Chriflefon, }

James Anderfon, } Dunkeld.

Mr James Row, }

Mr Andrew Graham :—Dumblane.

Mr Thomas Buchanan :—Fife in Sanct Andrews to Levin.

David Ferguson :—Ut prius, and to be payed for charge thereof to the Bishop conform to his promise.

Mr John Spottwood, }  
Mr Adam Johnston, } Lothian.

William Sanderfon :—Merce.

Mr Patrick Gaits :—Tiviotdail.

Mr Andrew Blackhall :—Tweddail.

Mr Andrew Hay :—Cliddisdale, Renfrew, &c.

Mr Robert Lindfay :—From Lanerk up the Overward of Clidesdale.

Mr John Young :—Kyle, Cuninghame.

Mr James Boyd :—Cariët.

Mr Peter Watfon :—Nithisdale.

Mr David Lindfay :—Galloway. C.]

#### Sessio 10<sup>a</sup>.

The Generall Assemblie gives full power and commissioun to [thair honourable brether,] the Lairds of Lundie, Braid, Elphinstoun, Carnel, Bargany, Careltoun, Abbotshall, Ceffurd, Coldenknowes, Patrick Kynninmont, with the Commissioners appointit over the whole Provinces within this realme, be the said Assemblie, Mrs Robert Pont, James Lowfone, Johne Craig, Johne Duncanfone, Ministers [of Christs Evangell,] Andro Melvill, Alexander Arbuthnot, with sicker as fall have commissioun and be direct from the Burrowis, or to the maist pairt of the said number, To conveine [and assemblie] quher it fall happin the Parliament to be haldin, two dayes befor the halding therof, and ther advyse, conceive and forme sicker heids and articles as they fall think meit to be proponit therto, in name of the Kirk, for the weill and maintenance of Gods glorie, and Policie of the Kirk of God; to desyre with all humilitie, and effectuously to crave the samein to be grantit; to conferre and reason ther vpon the saids heids, and sicker as falbe proponit ther, sickerlyke and as the said Assemblie might doe, if they were present, firme and stabill &c.

The Generall Assemblie gives full power and commissioun to thair lovit brethren, Johne Erskine of Dun, Johne Duncanfone, [Minister of the Kings Majesties house,] Andro Hay, Johne Craig, Thomas Smeitoun, Ministers [of Christs Evangell,] and Andro Melvill, Principall of the

Colledge of Glasgow, to passe to the Kings Majestie and Counsell to Striveling, with convenient expeditioun, and to present vnto his Hienes and Counsell sikk heids, articles and complaints as are givin and already delyverit to them be the Kirk; with humble instance and reverence to crave and receive ansuer therof, and therin to travell effectuousslie and with diligence; and namely to make sute for the reformation of the Vniverstie of Sanct Androes, and that tyme may be appointit therto; quherof the said Assemblie willed thair brether to make due advertisement vnto sikk as the said Assemblie hes namit for thair part: and quhat beiranent beis done to report againe to the nixt Assembly; firme and stable haldand and for to hald quhatfoevir thair said brether in the premisses righteousslie leids to be done.

[The tenor of the Articles to be presentit to the Kings Majestie be the Commiſſioners of the Kirk of Scotland, convened in the Generall Assemblie thereof, at Edinburgh the 14 day of July 1579. C. & B.]

1. The Kirk craves [of the Kings Majestie, that becauſe many young ſcholars are ſent out of this realme to Paris, and other Univerſities profeſſing papiftrie, wherethrough the youth of this realme is corrupted be peſtilent poprie, in place of godly virtue,] That the Kings Majestie wald make generall prohibitioun, that none of the inhabitants of this realme ſend thair children to Paris, or any vther Vniverſitie or Towne profeſſing papiftrie, vnder ſikk paines as his Hienes and his Counsell ſhall thinke expedient; [to the end, that the youth of this countrey be not brought up in Papiſſical ſuperſtition and idolatrie contrar to Chriſts religion.]

2. [The Assembly craveth of his Hienes, that becauſe it is thought meet the Univerſity of Sanct Andrews be reformed,] That his Hienes wald cauſe and compell the Proveſts and Maſters of the Colledges of the Vniverſitie of Sanct Androes to [produce and] exhibite the erectiouns and foundations of the Colledgis within the ſaid Vniverſitie, to be conſiderit be his Hienes and ſikk as his Grace ſhall appoint; alſo that the ſaids foundations may be ſichtit, and reformation made theranent, as effeirs.

3. Becauſe ſome Jeſuites are preſently within this countrey, That ourdour may be takin with them, as effeirs, [ſeeing they are the peſtilent dregs of moſt deteſtable idolatrie.]



4. Because ane Minister is not sufficient to awaite at all tymes vpon his Grace and his Hienes house, to preach, exhort, admonish, and preserve perfyte discipline within the same; therfor the Kirk craves, That his Hienes wilbe content to name any vther Minister within this realme, of best qualities, to be joynt with Johne Duncanfone, [his Hienes Minister for the present,] that they may both be mutuall consent awaite vpon his Grace and the haill ministrie of his house.

5. That because in the last conference, haldin at Striveling be his Graces command, concerning the Policie of the Kirk, certaine articles theranent remaines yet vnresolved and referred to farder conference; therefor the Kirk craves at his Majestie, That persons vnspottit with sick corruptions as are desyrit to be reformat, may be nominat be his Majestie to proceed in the farther conference of the said Policie; and tyme and place to be appointit for that effect.

6. Because the Kirk vnderstands that his Majestie, be advyse of his Secret Counsell, direct letters oftentimes to stay the executioun of the acts of the Generall Assemblie; as also summonds Ministers to take tryall of excommunication pronouncit be them according to the word of God, and discipline of the Kirk; stayes the producting of the same, as the Commissioners of the Kirk in particular will declare: That therfor his Majestie heirafter wald suffer the acts of the Generall Assemblie to be put in executioun; and namelie that excommunication beand pronouncit, may have the dew executioun, without controlling therof befor his Majestie and Secret Counsell.

[Questions proponit be the Synodall Assemblie of Lowthian to the Generall Assemblie; and the answers of the Assemblie thereto.  
C. & B.]

[Questio. In the first,] In respect of great inconveniences that hes infewit, and daylie does infew be Readers in vseing thair office, the haill brether hes inhibit all Readers from ministring the sacraments and solemnization of marriage, permitting nothing vnto them but proclamatioun of the bands, and simple reiding of the text; desyring ane vniforme ordour to be establisht be the acts of the Generall Assemblie through all provinces.



Responſio : So many Reidars as the Commiſſionars and Synodall Affembles finds vneit to ſolemnize marriage, to be inhibite be them.

[Q. Secondly, Craveth of the Generall Affemblic an univerſal order to be eſtabliſhed concerning Miniſters, as the Synodall Affemblic of Lothian hath concluded already, That every Miniſter ſhall await every Sabbath day at that kirk, where he is bound to make reſidence ; and the ſupporting of other Kirks to be only on work days : and the Commiſſioners of every province in their viſitation, to accuſe the Miniſters contraveeners of the ſamen.

Anſwer : Alloweth this order for Lothian. C.]

[Q. Thirdly,] In reſpect that fundrie brether belyd thair miniſtrie, heſ particular benefices, quherby the Kirks quher thair benefices lye are diſſapoyntit of ſervice, That ane vniforme ordour may be tane, that men may ſerve either at the kirk quher thair benefices lye, or proviſion be made for the ſame.

Anſwer : Aggreit heirto.

[Q. Fourthly, A general order to be taken, for erecting of Preſbyteries in places quher publick Exerciſe iſ vſed, vnto the tyme the Policie of the Kirk be eſtabliſhed be law. C. & B.]

Anſwer : The Exerciſe may be judgit a Preſbyterie.

[Queſtions proponed be the Synodall Affemblic of Sanct Andrews to the Generall Affemblic ; and the anſwers of the Affemblic thereto. C.]

[Q. In the firſt, The brethren of the ſaid Affemblic require,] If any aught or may be ſuffered to reid within the Kirk in tyme of neceſſitie, without admiſſion, althogh they be elders or deacons.

Reſponſio : Negatur ſimpliciter.

[Q. Item,] If all the Kirks have not the ſame equall power to marrie on ane oulk day, by the Sabbath, haveand ane ſufficient number, [and]

joynand preaching therto, as certain particular Kirks already practises the same.

Responſio : It is agreeit that they may marrie on feriall dayes.

[Q. Item,] What ordour ſhalbe put to them that bydes from the Communioun, alledging invy that they beare towards their neighbours, the cauſe therof ; and vthers that will neither ſpeake, ſalute, nor beare familiar companie with their neighbours, beand requyrit be their Miniſters, and will not obey, Aught they to be admittit.

Reſponſio : Ordaines the perſons lyand vnder invy to be admoniſchit ; and the vthers not to be ſufferit without reconciliatioun and teſtification of brotherly love.

[Q. Laſt,] What aught to be done to ſick perſons that, after admonition, will paſſe to May playis ; and ſpeciallie elders and deacons, and vthers quha beares office in the Kirk.

Reſponſio : They aught not to be admittit to the ſacrament without ſatiſfaction ; in ſpeciall elders and deacons.

#### QUESTIONS.

[A certain married man ſlandereth himſelf of adultery with another mans wife : the woman denyeth the fact, but granteth that he intified her fundry tymes thereto. Item, the woman ſlandereth the man, that he perſwaded her to put down her own huſband, to goe out of the countrey with him, promiſing, as ſhe alledged, to doe the like with his wife : The man grants that he intified her to go with him out of the countrey ; but denieth that he perſwaded her to doe any evil to her huſband : of which ſhamefull alledgances no ſmall troubles are raiſed ; and the Kirk heavily ſlandered.]

Anſwer : Referres this queſtion to be farther tryed in all circumſtances, be the Commiſſioner of the Countrey, the Miniſter of the pariſh, and other Miniſters next adjacent, ſuch as the Commiſſioner ſhall convocat, at what time and place it ſhall ſeem beſt to them ; and that both parties in the interim be debarred a ſacra cœna. C.]

[Q. Becauſe there are ſome Miniſters that will not ſolemnize marriage,

but only upon Sunday ; and other some use the samen upon oulk dayes, whereof ariseth no small slander among the people : we crave an universall order to be keeped, either to appoint the Sunday precisely, or that all dayes be alyke after due proclamation. C. & B.]

Ansuer : Bands beand thrie severall Sondays lafullie proclaimit, the marriage may be any day of the oulk folemnizat, swa that a sufficient number of witnes be present.

Q. What ordour falbe tane with these persons that passēs to a popish priest to be married, thair bands not beand proclaimed : Sall they be esteimed as married [persons ;] and if not, quhat discipline falbe vsit against them.

Ansuer : This coniunctioun is no marriage, and therfor ordaines the persons to be callit befor thair particular Assemblies and satisfie as fornicatours ; and vpon new proclamatioun to be married according to the ordour of the reformat Kirk ; and the papist priest to be punishit.

[The Assemblie] ordaines the Commissioners of Countreyes and thair assours to try within thair bounds, sikk of the Ministrie as hes pluralitie of benefices and offices, and to inquire the reasons therof ; to be reportit be them to the next Generall Assemblie, with thair names that bruiks the saids benefices and offices, that the Kirk may take ordour for remeeding therof.

Anent the act made anent the apparrell of the Ministers and thair wyves : Ordaines the same to be put to executioun in all points, according to the tenour therof.

[To the right excellent, right high and mighty Prince James the sixth King of Scots, your humble subjects, the Commissioners of the Kirks of your realme, with grace and peace, with a prosperous reigne, from God the Father, through our Saviour Jesus Christ.

Our duty craveth at all occasions to hold your Hieness in remembrance of things pertaining to the advancement of Gods glory, and weale of his Kirk, wherewith is joynd the preservation of your estate, and whole body of this common wealth ; for above the common sort of Princes, who, for the most part, are either enemies of the true religion, or else think that

the medling therewith troubleth their estate, and are greatly moved, with the wicked Herod, when they hear the wise men seeking for Christ to adore him as a King, Ye are of Gods loving mercy called to this honour and dignity, to be a maintainer of Gods eternal truth, and mutually to be maintained be the same in like sort, that in all troubles and commotions, that any tyme thir twelve years past have disquieted your common weale, two things have ever been annexed together, and made, as it were, one quarrell and one cause, to wit, the maintainance of Christs Evangel, and defence of your royal estate ; so that for the most part, they that have been enemies to the right religion, have been enemies likewise to your authority and crown ; and be the contrary, the most fervent favourers of Gods truth have ever been found most faithfull subjects unto your Majestie, and maintainers of your welfare and estate : and in this respect no doubt hath the Eternal, at many tymes, when matters appeared almost desperat in mens eyes, granted marvelous successes, and notable victories to these who sustained your quarrell against the greater forces, crafty and bold interprises of the adversaries of the same ; who although many of them outwardly professed the same religion, yet if their attempts had come to effect, they should have been the moyen to suppress the same, and to erect superstition and idolatrie again in place thereof, which our God would not suffer, but rather fought be his own power against them, as well for preservation of his truth revealed of his great mercy among us, as of your Hieness person and estate, to be advancer thereof in tyme to come ; which indeed, Sir, is no small honour unto you, to have Gods cause and yours so linked together, and is an evident token and testimony, that so long is your princely estate able to stand in all stability, how long the purity of religion and liberty of Christs Kirk shall be carefully kepted and maintained be you. Then if oft tymes Princes have done many things for their friends and confederats, and namely such as have been with them in like danger and hazard of tyning and woning, how meekle more shall it become your Hieness to refuse no travells for the cause of Christs Kirk and true religion, presently so mixed with your own estate, that both have the self same friends and unfriends, and are both appearand to abide together the like danger, to fall or to stand : Herefor we were meekle to be blamed, and worthy to be accused of neglecting our duty, if wee should not from tyme to tyme, as opportunity beis offered, stirr up and labour to promote your good mind in so worthy and necessarie a cause ; which is farther and farther to advance the liberty

of the Gospel, and spiritual bigging of the Kirk of God, by whom Ye are promoted and maintained in this your princely estate, to be mutually to your power a promoter and maintainer of his glory; and specially now, when as being convened in our Generall Assembly, this holy book of God, called the Bible, newly imprinted, was brought before us, the printer thereof, Alexander Arbuthnet, a man who hath taken great paines and travells worthie to be remembered in this behalf, and desired to be dedicated to your Highness, with a convenient preface in our common Scottish language, wee could not omitt nor neglect the occasion offered to doe the same; exhorting you most earnestly, Sir, to consider to what place your God called you, and to remember diligently how the setting forth and authorizing of this book chiefly pertaineth to your charge. Truth it is, that the godly men of the nation of England, for the most part banished from their country for the Gospels cause, and convened at Geneva, who did faithfully and learnedly translate this book out of the pure fountains of the Hebrew and Chaldaick and Greek tongues, ought to have their own praise for their labours bestowed to the common weale of them that speak our language; yet forsameekle as things once well begunne crave and require great diligence to preserve them from decay, after that with great labours they have been brought to perfection; and great part of the honour of advancing this work pertaineth unto you, be whose authority it was of a certain tyme bypast ordained, That this holy book of God should be set forth, and printed of new within your own realme, to the end that in every parish kirk there should be at least one thereof kept, to be called the Common Book of the Kirk, as a most meet ornament for such a place, and a perpetual register of the word of God, the fountain of all true doctrine, to be made patent to all the people of every congregation, as the only right rule to direct and governe them in matters of religion, as also to confirm them in the truth received, and to reforme and redress corruptions, wheresoever they may creep in; certainly wee have great occasion both to glorify the goodness of God toward this countrey, and also highly to extoll and commend your Highness most godly purpose and enterprise. O! what difference may be seen between thir dayes of light, when almost in every privat house the book of Gods law is read and understood in our vulgar language, and the age of darkness, when scarcely in a whole city, without the cloisters of monks and friers, could the book of God once be found, and that in a strange tongue of Latine, not good, but mixed with

barbaritie, used and read be few, and almost understood and expounded be none ; and when the false named Clergie of this realm, abusing the gentle nature of your Hienes most noble goodshir of worthy memory, made it a capital crime to be punished with the fire, to have or read the New Testament in the vulgar language ; yea, and to make them to all men more odious, as if it had been the detestable name of a pernicious sect, they were named New Testamentars. Verily, wee should weigh thir matters aright : men should neither so advance the time past, neither yet accuse this present age, when this only spiritual comfort of Gods word ought justly to be preferred to all the vain worldly wealth of the years past before ; but rather with most thankfull hearts praise and extoll the infinite goodness of our God, who hath accounted us worthy to whom he should open such an heavenly treasure, and raised up the heroical spirits of Princes, and namely of your Grace, for the out setting of the same : Wherefore seeing it hath pleased the goodness of our God to shew such favour and benevolence toward your Hienes and this your country, that now the truth of the Evangel is freely, truly and sincerely preached throughout all places under your subjection ; of every duty the next care and study ought to be, how this divine work may more and more be furthered and performed, and also maintained and continued, that the purity of religion may long tyme remain among us, to the comfort of this present age, and all posteritie to come ; and so meekle the rather, that the neglecting of this point in other places hath been occasion, that most notable and happy beginnings have often tymes not taken such end and success as apparently might have followed, if the like provision had been made for continuance, as paines and travells were taken for planting of true religion. But as the errors of others may make us circumspect, so should the rare and singular benefits of God, lately shewed to this realm, encourage your Hienes and your whole subjects in hope, that this notable and excellent work of the spiritual edifying of the house of God shall take good success and happy end in your hands ; for since the tyme it pleased God to devolve the government of this realme, and care of establishing his Kirk, in your person, being then but an infant of tender age, continually such success hath followed, that not without just cause the minds of many are erected in that expectation, that God shall some day use you as an instrument to perform greater things for the wellfare of his Kirk, than either wee will presently utter, or be natural reason can be made probable. Wee omitt now to speak how miraculously the



truth of Gods word was first sown in this countrey be feeble and weak instruments ; or largely to delate how mercifully things were brought to pass, without great inconvenience, or cruel bloodshed ; and how the liberty of the Evangel hath been so graciously granted to us without any extreme harme and damage, which other great and potent nations thir many years, with great troubles, and fearfull battells, to the great los of their lives and goods, have long fought for, and yet never fully obtained. Neither mind wee at this present to declare how wonderfully your Grace hath been preserved even from your conception and birth to this day ; how happily factions and controversies concerning your royal estate have been settled and extinguished ; and shortly, how many notable works, above all worldly expectation, interpreted in your most happy name, have been brought to luckie end and good effect ; the favour and blessing of God continually following them with better success than wee durst either hope for or desire. Thir things, and many other things more particular, (the ample discourse whereof wee remitt unto histories,) as they testify to us the bountifull goodness of God, both toward your Majestie and this realme, so ought they stirr up all hearts to thankfulness, and chearfully encourage you to pass forward in this great work of reformation of religion, and building of the spiritual temple of the Lord, the foundation whereof being already laid by publick and universal preaching of true doctrine throughout the whole realme : It resteth, that the work may be prosecuted, and the building brought to a good perfection, by establishing of discipline, and meet policie in the Kirk of God, not taken out of the cisterns of mens traditions, but of the pure fountains of Gods holy word ; which thing wisely begun in your Hieness name, be your first Regent of godly memory, and ordained be act of Parliament to be followed furth, hath been diligently pressed for from tyme to tyme ; but specially now since the acceptation of the government in your own person, when as not only most lovingly and willingly Ye did receive the Book of Policie of the Kirk, offered by them who were direct to your Majestie in name of the Generall Kirk ; but also was very carefull to find out men meet for conference upon the heads of the same, lamenting for the rarity of such kind of persons as were desired to conferre thereupon ; and hath appointed divers times and places, where such conferences in your name and at your commandment have been had, not without fruit, and agreement in many heads to be passed in laws, but with expectation of greater things after to follow upon farther conference, pro-

vyding fuch men be appointed thereto, as your Hienefs wifhed, and wee moft earneftly crave ; whereunto wee doubt not of your own good will, as of before ; for it fhould be but travell loft, whatfoever hath been beflowed therein, if the work fhall not be followed furth, and brought to good ifhue and good end ; whereunto wee exhort your Grace moft effectually, for nothing can be found more proper, wherein a chriſtian Prince of fuch expectation as you are, fhould give a true proof of the good and found affection which he beareth to the advancement of Gods glory and the kingdom of Jeſus Chriſt. Truth it is, that Sathan ceaſeth not, neither will ceaſe hereafter to object many and great impediments to the hinderance of this godly enterpriſe of bringing the ſpiritual building of the houſe of God to perfection, which wee always are in good hope, (adjoyning thereto our continual prayers,) your good and heroick zeal ſhall overcome, albeit not without ſome hard difficulty, and wearieſom letts even of them who ought of duty to put their hands to this work. We read in this book how many and difficile impediments were offered to Zerobabell and the Jews, to flopp the bigging and repairing the Temple of Jeruſalem ; ſome tyme they were expreſſly countermanded be the edicts of the great Monarch ; ſome times by the threatnings of their adverſaries round about them ; ſome tymes by domeſtical enemies, hypocrits, crafty worldings, and oppreſſors of their brethren ; yet againſt all thir the prophet opponed the command of God, and promiſe of his aſſiſtance to perform the work. The lyke or rather greater impediments be objected this day againſt the ſpiritual building of Gods houſe. The kings and great monarchs of the earth threaten wrack and deſtruction to all them that ſhall medle with this work. The falſe named kirkmen, that pretend to be biggers up, demolifhed, and, if they had power, would caſt down all to the ground, as their wicked conſpiracy concluded at Trent doth ſpecifie. In what coldneſs the former zeal of many is now changed ; yea, what careleſneſs of matters of religion in all Eſtates, it may more than evidently appear. The infatiable covetouſneſs of every one to apply and appropriat to themſelves the common rents of the Kirk, doth over truely declare what conſcience men have, and ſpecially the greateſt (whoſe anceſſors lived more honourably upon their own,) to be manifeſt tranſgreſſors indeed of that religion, which, in word to their ſhame, boldly they profels. And laſt of all, the manifeſt corruption of our lives in all Eſtates, and licentious and godleſs living of the multitude, the impunity of ſome, and wickedneſs, the cruell and unnatural



murthers, hainous and detestable inceſts, adulteries, forceeries, and many ſuch like enormities, with the oppreſſion and contempt of the poor, almoſt univerſal corruption of juſtice and judgment, and many other evils which overflow this common wealth, bear evident witneſs how ſlender and ſmall ſuccesſs hitherto followed the reformation of religion within this realm, and doe provoke the judgments of God, alace over fore againſt us : And yet none of theſe impediments, nay not they all conjoynd together, ſhould diſcourage your Hienes to goe forward in this godly work once begun ; but the hope of Gods aſſiſtance, who is able to move heaven and earth, when pleaſes him, the promiſe of his preſence and grace, and the happy end to follow, ought rather to inflame and raiſe up your royal heart more conſtantly to fight and overcome all the letts that ſathan and his craftie ſuppoſts can devile. It appears well that God hath choſen you as a ſingular inſtrument, to be a pattern and enſample to all other princes of your tyme, in offering you ſo fair occaſions to put the Kirk of God to full liberty, to purge it from corruption, to eſtabliſh ſuch decent and comely policie within the ſame as his word craveth, and to provide for the long during and perpetuity thereof ; ſeeing it hath pleaſed him to make your Grace, from your tender youth head, to be brought up in the true knowledge and fear of his name, to make the true doctrine of the Goſpel in perfect unitie, without any ſchiſm or controverſie, to be plainly and peaceably publiſhed through all the bounds of your dominions : and finally, to make this policie of the Kirk to be humblie and earneſtly craved to be eſtabliſhed be your Highneſs, be the moſt part of the true ſubjects of your realme. Such peculiar occaſions ought not to be ommitted, remembring how all kings are commanded to embrace and kiſs the Son of God, and to be nourishers of his Kirk : Therefore againſt all impediments propone and oppone the earneſt zeal of David, who could take no reſt, nor ſleep to his eyes, till he had found the place, where the Lord ſhould have his reſting place amongſt the people. Call for the wiſdom of Solomon to endue your Grace with a ſpiritual ſpirit, as well as in the outward policie, as in advancing the ſpiritual policie of his Kirk ; imitat the ſervent faith of Jehoſaphat putting his whole truſt in the Lord, and believing his prophets ; the diligence of Jehoahſh, in repairing the houſe of the Lord ; follow godly Ezekias, in rooting out all monuments of idolatrie, and depending firmly upon the Lord ; the faithfull young Joſiah, in making the book of the law of God, a long time doun ſmored, and keeped in ſilence, yea utterly tint

and forgotten, to be publickly read, accepted be the people, and recommended to the posterity. To such diligence as this did the prophets Haggai, Zachariah, and Malachi exhort the princes of the Jews : And shortly, such godly interprifes have made the great Constantine, the gentle Gratian, the godly Theodose, and such others, to be worthy of eternal memorie and commendation : Neither is it enough to begin well, as did some kings of Judah, and afterwards fainted in their proceedings ; but here chiefly is required constancie and perseverance without shrinking, till things be brought to a good order and stable estate : neither ought your Grace only look how meekle is done, but rather how meekle resteth unreformed ; ever thinking, that great diligence is required to goe foreward, and great attendance to be given, that things may abide and continually increase, till they come to due perfection. This is a matter worthie to your royal heart, a purpose proper for the exercise of the vivacity of your divine and high ingyne : this is a most fair field to run in, and exercise the course of your youth ; and a thing most meet to make known, what ought to be the principal study of a christian prince ; declaring how neither wee your natural subjects, neither the godly and faithfull of forrain nations, have in vain so long looked for some notable and excellent work to proceed from your Majesties authority, for promoting of Gods glory, and establishing of his true religion ; the which no doubt shall be an exceeding honour, and perpetual renoune that shall follow your Hieness. All other glory at last shall decay, and all commendation that resulteth of other princely acts, either is not of long endurance, or hath commonly mixed therewith such things as be also worthy of blame ; but the honour of this act shall indure for ever, and shall be fully approved be him, whose judgment can no ways be but equall and right, who is the eternal Lord of Lords, and King of Kings ; whom, with most humble hearts and instant prayers, wee beseeke to bleſs your Majestie with continual and daily increase of his abundant blessings as well spiritual as temporal ; and to maintain in wealth and prosperity your princely estate, to the praise and glory of his holy name, your assured salvation, comfort and quietness of this countrey, the overthrow of the power of Sathan, and advancement of the kingdom of Jesus Christ. From Edinburgh, in our Generall Assembly, the tenth day of July 1579.

The next Assemblie to be the second Tuesday of July next to come, in Dundie. The haill brether present warnit thereto.

A. D. M.D.LXXX.

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THE Generall Affemblie conveyit at Dundie, and begun the 12 day of Julij 1580: Quher ther was present the Laird of Lundie, Commiffioner for his Majestie, Commiffioners of Provinces, Townes and Vniverfities.

Seffio 1<sup>a</sup>.

Exhortation [being] made be Mr Thomas Smeitoun, Minifter of Pailley, [Moderator of the laft Affemblie, the brethren proceeded to the election of a Moderator:] Leits, Mrs Robert Pont, James Lowfone, Johne Duncanfone, Andro Hay. The faid Mr James, be pluralitie of votes, was chofin Moderatour, quho defyrit certaine brether, quhom he wald nominat, to be appointit to conferre with him, and give their advice in fuch matters as are to be treated and reafoned during this Convention, to the effect that matters may proceed more formaly, and with reddier expedition: Upon whofe defyre, becaufe [it was meaned] that certaine brether were offendit with the ordour of Affeffours, [which were wont to be joyned to the Moderator, to give their advice to him,] as thogh fome tyrannie or vfurpation might creip in therby, or libertie [might be] takin from the brether, queftion was movit to the haille Affemblie, If the faid ordour was worthie to be [allowed and] continued as it hes bein befor, or to be rejectit as prejudiciall to the libertie of the brether; and to the effect that all occafion of murmure may be tane away, all that wald reafon in this queftioun beehand requyrit publickly [to reafone:] in fine, the Affemblie concludit the faid ordour to be good and neceffar, and to be keipt as it was befor,

without any hurt or prejudice to the libertie of the brether. [And for conference with the Moderator, as is above said, the Assemblie appointed their brethren following at his own nomination, to wit, Mrs Robert Pont, Thomas Smeitoun, Andro Melvill, George Hay, William Christefone, David Fergusone, Johnne Gong, Patrick Auchinleck, Thomas Buchannan, the Laird of Braid and Johnne Johnstoun, to conveen at extraordinary hours, 7 in the morning, and two afternoon, in the Assemblie place. C. & B.]

[A millive directed from the Kings Majestie, in favour of George called Bishop of Murrey, craving the rigour of the commiffion given to Mr Patrick Auchinleck to be superceeded, &c., was presented to the Assembly. The Assembly appointed the answer to be given afternoon.

#### Sessio 2<sup>a</sup>.

Anent the answer to the Kings Majesties letter directed in favours of George called Bishop of Murray: The Assembly delivered to the bearer of his Graces missive an answer: The Assembly warned him to attend upon the reasoning of his cause before them, when the samen should come in before the dissolution of this Assembly; certifying, whether he compeared or not, they would proceed and determine therein, notwithstanding his desire that the matter might be superceeded till Saturday, in respect of a great cause he had depending before the Lords of Council; which was refused be the Assemblie: whereupon he exhibited instantly certaine defences against the commiffion given to the said Mr Patrick Auchinleck concerning him, with his titles to the Bishoprick; which was delivered to the Clerk.

In the trial of such as bear charge of visitation, fundrie were found absent: Mr John Robertson, Commissioner of Rofs, removed furth of the Assembly, and none of his Country being present, was found fault with, That he had chosen no Commissioners to the General Assembly. He excused himself be the slackness of the gentlemen of the Country, sickness and occupation of others, and poverty of them that bear charge of the ministrie; wherewith nottheless the brethren found fault.

Mr George Hay being removed, it was meaned be some brethren, That he had set a tack of the Personage of Edleston for 19 year, without advice of the Assembly. He answered, He had set a tack for 14 bolls victual, for

fix shilling eight pennies the boll; wherewith if the Assembly found fault, because the samen as yet is in his own hand, he promised to mend it; which the Assembly commanded him to doe.

Mr Andrew Graham being removed, first, it was alledged, That he had no ordinar flock which he fed; that there were many papists and excommunicats dwelling in Dumblane, and no order put to them; that he had set his benefice to Mr William Stirline without consent of the Assembly; that the Reader of Muthell ministred the sacrament at Pasche last; that the sacraments are commonly bought and sold in Auchterarder: Returning he answered, His special flock was Dumblane, where he taught, howbeit not so diligently as his duty and office required; he grants that there are many papists and excommunicats in Dumblane. The Assembly ordaineth him to proceed against some of the papists, that they may be examples to the rest: and siclyke to proceed with letters of caption against the persons excommunicat. He grants he set his benefice to Mr William Stirline, but with restriction, that he should purchase the consent of the Generall Assembly: And because it was longsome and tedious to deduce the whole matter before the Assembly, he desired the Assembly would commit the cognition thereof to the Moderator and his assessors; which was granted. The two last heads were confessed to be true, but order was already takin with them in their Synodal Assembly.

Mr Thomas Buchanan being removed, complaint was made, That faults being delated to him, no order was taken for punishment thereof; that when the rest of the country was humbled in fasting, no fasting was kept in Fife. He answered, Such faults, as the Ministers themselves within the bounds might put order to, he directed to be punished by them; others, that neither they nor he could remede, he hath committed to his book; alwise the accusation being made particular, he shall answer more particularly thereto: As to the first head, He did his duty, as appeared by his book, which was read and seen by the Assembly.

Mr Andrew Hay being removed, it was complained, That he had subscribed a nynteen year tack, alledged made by Mr George Hay his brother. It was inquired, what he had done anent Mr John Colvill: He answered, That yet he had not subscribed the tack, howbeit he had promised; and that Mr John Colvill was presently at the point of excommunication. C.]

Sessio 3<sup>a</sup>.

Mr Johne Craig, ane of the Ministers of the Kings house, presentit his Hienes missive [directed to the Assemblie,] quhilk was opiny red in face of the haill brether, with all humilitie; and God praised in his Hienes good zeale. The tenor of which missive [followeth:]

Trustie and welbelovit freinds, We greit zou weill. We have directed toward zou our trest freinds, the Pryour of Pettinweime, and the Laird of Lundie, instructit with our power to that effect, for assisting zou with thair prefence and counsell in all things that they may, tending to the glorie of God and preservation of Vs and our estate; desyreand zou heartlie accept them, and our good will committit to them, for the present in good part. So We commend zou to Gods blessed protectioun. From our Palace of Falkland, the 12 of July 1580. Sic subscribitur,

JAMES REX.

[Mr David Lindsay, Commissioner of Galloway, being removed, it was meaned to some brethren, That he remained not with his flock, as became him, but was often times absent from home; siclyke was desired to declare what diligence he had used in his visitation: Answered, He attended on his flock, as accorded with his duty, and was not absent from them without their licence, when he was minded to visit; he received command of the Kings Majestie to wait on the Duke of Lennox; and as to his visitation, He had not visited, nor nothing was allowed therefore. The Assemblie desired him to attend diligently upon his flock; and if the charge of visitation be committed to him again, to use other diligence.

Anent complaint of Visitors of Countries upon Ministers, with whom they could not take order in their Synodal Assemblies: The Assembly nominats their brethren underwritten, to wit, Mr David Lindsay, Mr Thomas Buchanan, Mr James Melvil, the Laird of Colluthie, John Johnstoun, Commissioner of Edinburgh, and Mr John Keith, to convene at two afternoon, and hear the said complaints, and give their advice to the said Commissioners to put order thereto; and if the complaint be of such weight that they are not able to resolve thereupon, to remitt the same again to the Assembly. C.]



Sessio 4<sup>a</sup>.

Forfameikle as the office of a Bischop, as it is now vlit, and commonly takin within this realme, hes no sure warrant, auctoritie, nor good ground out of the [Book and] Scriptures of God ; but is brocht in by the folie and corruptions of [mens] invention, to the great overthrow of the Kirk of God : The haill Assemblie of the Kirk, in ane voyce, after libertie givin to all men to reason in the matter, none opposing themselves in defending the said pretendit office, Finds and declares the samein pretendit office, vfeit and termeit, as is above said, vnlaifull in the selfe, as haveand neither fundament, ground nor warrant within the word of God : and ordaines, That all sick persons as bruiks, or fall bruik heirafter the said office, false chargeit simpliciter to demitt, quyt and leave of the samein, as ane office quhervnto they are not callit be God ; and siclyke to desist and cease from all preaching, ministratioun of the sacraments, or vsing any way the office of pastors, quhill they receive de novo admiffion from the Generall Assemblie, vnder the paine of excommunicatioun to be denunciit agains them ; quherin if they be found disobediēt, or contraveine this act in any point, the sentence of excommunicatioun, after dew admonitions, to be execute agains them.

And for better executioun of the said act, it is statute [and ordained,] That ane Synodall Assemblie shalbe haldin in every province quher any vsurpit Bischops are, and begin the 18 day of August nixt to come ; quherto they shalbe callit and summond be the Visitours of the saids Countreys, to compeir befor thair [Synodall] Assemblies ; and namely, the Bischop of Sanct Androes to compeir in Sanct Androes, the Bischop of Aberdein in Aberdein, the Bischop of Glasgou in Glasgou, the Bischop of Murray in Elgine, to give obedience to the said act ; quhilk if they refuse to doe, that the saids Synodall Assemblies shal appoint certain brether of thair Ministrie to give them publick admonitiouns out of the pulpitt ; and warne them in case they disobey, to compeir befor the nixt Generall Assemblie to be haldin at Edenburgh, the xx day of October nixt to come, to heir the sentence of excommunicatioun pronouncit against them for thair disobedience : And to this act the Bischop of Dumblane aggregit, submitting himselfe to be rewilt therby.

As to the ordour to be takin with the patrimonie of the Kirk, bruikit and

possest be the saids Bischops ; the Kirk referres the reasoning therof to the next Assemblie.

Sessio 5<sup>a</sup>.

[Forameekle as commission was given to Mr John Row, Commissioner of Dunkell, to charge Mr James Paton to demitt the Bishoprick of Dunkell, &c., under the paine of excommunication ; and if he disobeyed, after admonitions, to proceed with excommunication against him, as the said commission bears ; wherein notwithstanding there is nothing proceeded : The Assemblie therefore hath ordained, and ordaines the Commissioner that shall be appointed to the visitation of these bounds, to put the said commission in all points to due execution, according to the tenor thereof, under the pain of suspension of the said Commissioner from his function and ministrie. And because decreets already given be the said Assemblie against him, for dilapidation of the patrimonie of the Kirk ; whereunto yet he hath provided no remedie, nor any wise repaired the prejudice done to the Kirk : therefore the Assemblie giveth their full commission and power to the same Commissioner, to charge the said Mr James to repair the hurt done be him to the Kirk be his dilapidation, and unjust alienation of the patrimonie thereof, under the paine of excommunication : and if he disobey, after admonitions, to pronounce the sentence thereof against him, with all diligence, betwixt and the next Generall Assemblie, under the pain of suspension of the said Commissioner from his said function of Ministrie : and further to try if the said Mr James hath usurped the pretended office of a Bishop upon him, since the giving furth of the sentence of deposition be the Generall Assemblie against him : and what shall be done in the execution thereof, to report again to the next Generall Assembly of the Kirk.

Sessio 6<sup>a</sup>.

Ordaines the Bishops of Brechin, Argile, Isles, Orkney, and Caithnes, to be summoned to compare before the next Generall Assemblie, the third day thereof, to answer to such things as the Assemblie shall inquire of them, as they will answer upon their obedience to the Assemblie ; and ordaines them to be warned be the brethren after following, to wit, the



Bishops of Argile and the Isles by Mr Robert Montgomerie; the Bishop of Brichin by Mr John Hepburn; the Bishop of Orkney be John Brand; and the Bishop of Cathness be Mr Thomas Buchanan. C.]

Forſameikle as albeit ther be diuerſe acts concludit in fundrie Affemblies of befor, to [bridle and] ſtay vniuſt alienatioun, diſpoſitioun, and waſting of the Kirk rents and patrimonie therof, be ſick perſons within the Miniſtrie as are cled with benefices; and nottheleſs, neither reſpect nor feare of God, nor reverence to his Kirk, nor good laws ſett out in the contrair, hes repreſt thair infatiable and curſed avarice from ſick inordinat dealing, to the greit and heauey prejudice of the Kirk of God, and commoun greife and regrate of all good men: For better remeid quherof, the [hail] brethren affemblit, after [long] reaſoning and mature deliberatioun of the matter, in vniſormity of votes, hes thocht meitt and concludit, That all perſons within the Miniſtrie, aſweill they that vſurps the ſtyle of Biſhops as vthers, that ſalbe tryit heirafter to diminifch the rents of thair benefices, either be diminution of the auld rentall, be ſetting of victuall at ſmall pryce and within the worth, or vtherwayes vniuſtly dilapidating and putting away the rent therof, be the ſight and judgement of the General Affembly, ſhall vnderly the ſentence of excommunication, but farder [proces.]

For purgatioun of the Kirk fra ſlander: The Kirk requyres, and, in the name of God, deſyres all men, aſweill gentlemen as vthers conveinit at this tyme, if they knaw any within the Miniſtrie ſlandrous in life, vnable to teach, vnprofitable or curious teachers, negligent in preaching, non reſidents or deſerters, havers of pluralitie of benefices and offices, diſſolute in manners, haveand mixt juridiſtiouns, givers of penſiouns out of benefices, or receivers therof, to give in thair names in a tickett to the Moderatour and his aſſeſſours, the morne at vij houres in the morning, that order may be takin with them be the Moderatour and his aſſeſſours, if preſent ordour may be had therwith; vtherwayes to report to the Affemblic.

Anent the office of Reidars that hes no farther gift of God bot ſimple reiding of the Scriptures: The Generall Affemblic hes concludit, after long reaſoning, That thair office is no ordinar office within the Kirk of God: and becauſe ſome of the brether movit the queſtion, Whither, in reſpect of thair neceſſitie and circumſtance of tyme, they ſould be ſufferit to continue, the diſputation heiſe was remittit to the morne.

Sessio 7<sup>a</sup>

William Stewart, brother to the Laird of Traquair, presentit ane wryting to the Assemblie in name of the Erle of Lennox, [directed be his Lordship to them.] The tenour therof [followeth:]

[Salute with peace through Jesus Christ our Lord. C.]

It is not, I think, vnknowin to you, how it hes pleased God of his [infinitt] goodnes to call me be his grace [and mercy,] to the knowledge of my saluation since I came into this land; quherfor I render most earnestlie humble thanks vnto his divyne Majestie, finding my voyage toward thir parts most happilie beslowit in this respect: And although I have made opin declaratioun of this my calling, first, be my awin mouth in the Kirk of Edinburgh, and nixt, be my hand wryte in the Kings Kirk at Striveling, quher I subscryvit the confellion of my faith; yet I fand it was my duetie, as being generallie conveynit, to send this gentleman, my cusing and freind, accompanied with my letter towards you, to make you, in my name, frie and humble offer of dew obedience, and to receive your will in any thing it shall please you I did farder anent the accomplishing of my said confellion; assuring you that I false readie to perform the samein with all humilitie; as also to promote and advance all vther things that may further the glorie of God and increas of his Kirk, the commoun wealth of the countrey, and Kings Majesties service at my vtter possibilitie: And so hoping to be participant in all tymes coming of your godlie prayers and favour, I salute you most lovingly in Jesus Chryst our Saviour. From Sanct Androes, the 14 day of Julij. Sic subscritur,

Your humble and obedient at all power,

LENNOX.

[To the Generall Assemblie presently convened at Dundie. C.]

The Generall Assemblie hes concludit, That all reidars within this realme false tryed and examined de novo be the Commissioners of the Countreyes, with the advyse of thair allessours, so farre as possible they may, betuixt and the nixt Generall Assemblie; and so many as beis found to be tryit to have travellit in reiding be the space of two zeirs, and hes

not so profited that they are able to be pastors and preach the word of God, false deposit from the reiding be the saids Commissioners, with assistance of thair saids assessours; and the diligence to be done heirin to be reportit againe to the next Generall Convention of the brether.

Sicklyke, because Reidars hes no ordinar office within the Kirk of God, the Generall Assembly [hath declared and] declares, That no simple Reider false capable of any benefice, or bruike or possesse the same in tyme [coming,] or get bruike or joyse the manse or gleib, quher ther is any Minister actually serving.

[Anent the Kings proclamation lately set forth concerning papists, and the diligence done be the Commissioners of Countries for execution of their duty in that point: In respect that fundrie of the Ministers pretended ignorance of the said proclamation,] The Assemblie hes recommendit the execution of the Kings proclamatioun concerning papists, vnto the hail Commissioners, as they will answer vnto his Hienes and the Kirk.

[For as much as the Assembly mindeth to direct certain articles and petitions to the Kings Hienes and Council, and that] It is thocht meitt to crave of his Hienes, That the Kirk of God within this realme may be restoreit to the benefite of the act of Parliament made concerning the Thrids, in respect of the many and greivous hurts quhilk the Kirk recognosces to have receivit be the taking away of the said act from them: Therfor it is thocht expedient, that the Moderatour [conferr] with sick as are assessours to him vpon the articles; and namely vpon the article of reposi-tion and restitution; [and their advice] to be presentit againe to the Kirk, and considerit be commoun advyce and consent of the hail Kirk.

#### Sessio 8<sup>a</sup>.

Compeirit Mr Hendrie Keir, fervitour to the Erle of Lennox, and declarit, That albeit he had long remainit in blindnes and papistrie, it pleasit God to illuminate him [after his long blindnes and rebellion, and to call him] to the knowledge of the true word, quherin, be his grace, he is now resolvit, acknowledging the same word to be truelie preachit and profest within this realme, and be act of Parliament establischt, and to be the only true religioun of God; quherto he is content, either now, or quhen the Kings

Majesties houe beis settled, with his heart to subscribe, at the will of the Kirk, and as they fall think best.

[Forasmuch as, be the confusion and misorder of the plurality of kirks sustained in the person of one Pastor or Minister, the flocks of Christ Jesus universally throughout the realme are overseen, and destitute of the true food of their souls, discipline and good order is allutterly neglected, and the consciences of the Pastors burthened with heavier charges nor they may comport with ; whereas be the word of God, every severall congregation ought to be provided of their own Pastor : C.] It is [therefore] be vote of the hail Assemblye, after lang disputatioun [in the matter,] resolvit and concludit, That it is not lawfull be the word of God, that ane [Minister or] Pastour be burdenit with the charge of feiding of twa particular flockis, or mair congregatiouns nor ane, or be callit Pastor of mair kirks nor ane.

[For as much as divers persons with this realme professing the true religion, presently established within the same, before their departure furth thereof to France and other parts, have declined sincefyne to idolatrie and papistrie, past to the masse, and now returned within the country, to the great slander of the Kirk : For remedy hereof,] The Generall Assemblye of the Kirk hes statute, That Commissioners of Countreyes sall call persons, who hes, after thair professioun of religioun within the countrey, declynit to idolatrie, and now returnit within the countrey, ilk ane within thair awin bounds, befor thair Synodall Assemblyes, and accuse them therof : and if they be tryit to have committit the said defectioun, to charge [every one so tried] to make repentance therof, vnder the paine of excommunication ; and if they disobey, to be excommunicat be sick persons to be appoyntit be the saids Synodall Assemblyes to that effect, lafull admonitiouns preceidand ; and if they offer obedience and [to make their] repentance, to superseid the taking therof, the forme of the same to be advysit on [in] the next Generall Assemblye ; suspending them, in the meane tyme, from the participation of the sacraments quhill the said Assemblye ; and heirin to report thair diligence thereto, as they will ansuer to God : and the same ordour to be observit with them that willinglie acknowledges the said defectioun, and comes and offers thair repentance.

Compeirit Captaine Anstruther, and lamentit to the Kirk, that he beend in France, and certaine zeirs bypast had givin his bodilie prefrence to the Mefs, albeit in his conscience he hattit the same as idolatrie, and keipit

alwayes vpright mynd toward the religioun profest in this realme; and feiling greife in his conscience for his defectioun, is come to vtter his repentance vnfaignedly for the same, submittand him to quhatfoevir correctioun the Kirk will injoyne him, defyreand to be reconcileit therto; and, in token of his sincere meaning, held vp his hand: And [as] to the bouthery and massacre at Pareis, declares he keipit the Kings gate of Lovar [the tyme therof,] but past no farder. [The Assemblie remitted him to the Synod of Fife, and Presbytrie of Sanct Andrews, to be received in the favour of the Kirk.

Becaufe some brether meanit, that the transporting of Mrs Andro Melvill and Thomas Smeitoun shold be many wayes hurtfull, and aught not to be permitted; at the defyre of thair brether, Mr Andro Hay, alledgand that he had many great reasons privatelie to propone, if the Kirk wald aggrie therto, appointit the Moderatour with his assesseurs to the heiring therof.

[The Laird of Colluthie, Mr David Lindsay, Mr James Melvill, Mr Andrew Melvill, Mr James Balfour, Mr Patrick Auchinleck and John Johnston, Commiſſioner of Edenburgh, were appointed to read and answer the bills. C.]

#### Sessio 9<sup>a</sup>.

Anent the act made in the last Assemblie, concerning the suspension of Visitours fra giving of collatioun of benefices to vthers nor serves actuallie at the kirks quher the samein vaikes, vnder the paines exprest in the said act: The Kirk [hath ordained, and] ordaines the said act to stand in full [force] strenth [and effect,] with this additioun, That if any collatioun or admissioun beis givin be any Visitour againsts the tenour therof, false null and of none availe, [force nor effect:] And sicklyke declares all collatioun or admissiouns that false givin heirafter be any pretending the style of Bischops, false [void] null in the selfe [and of non effect] in tyme coming.

[Anent the proposition moved be Mr Robert Pont, upon appearance of some offence, as he thought, conceived be some brethren, by reason of his office in the Colledge of Justice, craving the judgment of the Assemblie, If he should leave the same, or not; seeing he neither entred therto without

their content, nor would continue therein without the famine: The Affembly continued their reasoning upon this matter, and their judgment therein, till the next Affembly.

It is flatute and ordained, That all Commiffioners of Countries in their Synodall Affemblies, fhall take trial of the Minifters and Readers; what kirks have made payment of the Bibles, and make an inventarie of their names, and receive the acquittances of the payment thereof; to be prefented to the next Generall Affembly, to the effect it may be known, who have made payment, and who not.

### Sellio 10<sup>a</sup>.

The Affembly continueth the whole Commiffioners of Provinces in their offices of vifitation and planting of kirks to the next Affembly, except Mr James Boyd; in whose room they place Mr John Young and Mr David Lindfay to be joined in commiffion, and John Duncanson for vifitation of Galloway, and either conjunctly or feverally to vifit the fame, while the next Affembly. C.]

Forfameikle as through a great part of all this countrey, the afternoones exercife and doctrine vpon the Sabboth dayis is vnylit, and fpeciallie in landwart, and therfor the peiple are not dewlie inſtruēt in the Catechiſme and rudiments of religioun: The Kirk hes [flatute and] ordainit, That all Paftors and Minifters ſhall diligentlie and zealouſlie travell with their flockes, to conveine to the afternoones fermons, afweill they that are in landwart, as they that are in burgh, as they will anfuer to God.

It is concludit be the Generall Affembly, That in every Provinciall Affembly ther ſhalbe certaine Affeffours nominat be them, to concurre with the Commiffioners of the countrey, quho ſhall ſubſcribe with them in all weightie and great matters.

The Generall Affembly of the Kirk gives full power and commiffioun to thair honourable and welbelovit brether, the Lairds of Lundie, Braid, Colthie, Keyris, and Carletoun, Mrs James Lowfone, Johne Craig, and Johne Duncanfone, [the Kings Graces Minifters,] Thomas Smeitoun, David Lindfay, Robert Pont, Andro Hay, Andro Melvill, George Hay, Thomas Buchannan and Johne Brand, Minifters of Gods word, Johne Johnſtoun,



Commiſſioner of Edenburgh, and Richart Blythe, Commiſſioner of Dundie, George Elphingſtoun, Commiſſioner of Glaſgow, or any fixe of them, to paſſe with all convenient diligence to the Kings Maieſtie and his noble Counſell, and with all due humilitie and reverence preſent vnto his Hienes and Counſell ſick heids, articles and ſupplicationuns as are conceivit in wryte, and delyverit to them be the Kirk ; moſt humblie ſupplicand and requyring his Maieſtie and Counſells good anſuer thervnto, and to travell effectuouſlie and with earneſt fute for granting of the ſame ; and alſo, if neid be, to conferre and reaſon vpon every article and petitionun proponed therein : and quhat heirin beis done, to report againe to the nixt Generall Aſſemblic.

[Here wanteth the begining of the ſupplication and articles preſented to the King and Council. C.]

[Unto them farther the Commiſſioners appointed for viſitation of Countries, that are deſtitut of ſlipend for their labours : Item, They that are aſſigned to the Generall Collectors payment, are not answered be him ; beſide many other and weighty cauſes, wherevpon our Commiſſioners, if need be, will reaſone before your Maieſtie and Counſell. And this libertie being granted to us, to gather up the revenues of the Kirk, according to the firſt aſſumption of the thrids, be faithfull men to be appointed thereto ; wherein your Maieſtie ſhall have a ſufficient ſuperplus for ſuſtaining your Hienes publick affaires, all penſions being revoked which are not neceſſary to be granted ; and your Maieſtie ſhall be relieved of theſe importunate ſolicitors. Farther, Pleaſe your Maieſty and Council, we have given in divers articles before, concerning the affairs of the Kirk, which have received no reſolute anſwer, but long tyme driſted therein ; beſeeeking your Maieſtie and Council to let us receive determined anſwer to every article ; namely, concerning the heads following. C.]

Articles proponit be the fornamit Commiſſioners to his Maieſtie and Council.

Firſt, That ordour may be takin with ſick as puts violent hand on Miniſters, or troubles them in exerciſeing of their office.

2. That they, quho for iust cause are depofed from the Miniftrie, may loſe aſweill thair benefices, as vther qualified perfons [being] provydit therto, the Kirk may be ſervit.

3. That ane puniſhment may be made for ſick as paſſes in pilgrimage to kirks or wells ; and that ordour may be tane with them that paſt [in pilgrimage] latelie to the Halie Rud of Peibles, and ſick vther places.

4. That no preſentation of benefice be directit to any perfons bot ſick as beirs commiſſion from the Generall Affemblic, according to the act of Parliament ; and if any be vtherwayes receivit, that thair admiſſioun be declarit null.

5. That all benefices vaikand, quher Miniſters are planted, be givin to the Miniſters ſerving the cure quher they vaik, they beehand able therfor ; and that no preſentation givin to any vther perſon be receivit, vnleſſe the Miniſter ſerving the rowmes be firſt found vnable.

6. That ordour may be takin with Alexander Arbuthnot, that the Bybles may be delyverit according to his receipt of money from every paroch ; and to that effect, that he and his ſoverties may be commandit be letters of horneing for delyverance therof ; and no ſuſpenſion to be grantit without the ſamein be delyverit.

7. That in reſpect of the good and godly zeale of James Lord Arran, alwayes ſhawin in defence of Gods cauſe and commoun wealth, it will pleaſe your Hienes and Counſell to reſolve vpon ſome good and ſubſtantiall ordour that may ſerve both for the health and cureing of his body, and comfort of his conſcience.

8. That the Booke of Policie may be eſtabliſchit be ane act of Privie Counſell, quhill ane Parliament be had, at quhilk tyme it may be confirmed.

9. Becauſe ther is great neceſſitie of a printer within this countrey, and ther is a ſtranger baniſchit for religioun, callit Vautrolier, quho offers to imploy his labour in the ſaid vocation, for the weill of the country, it will pleaſe your Grace and Counſell to take ordour heirin, as your Grace thinks meit ; and to give licence and privilegedge to him for that effect, if it ſalbe thoct expedient be your Grace and Counſell.



A. D. M.D.LXXX.

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THE Generall Affemblie conveynit in the Ovir Tolbuith of Edinburgh, and begun the xx of October 1580: Quher there was present the Commiffioners.

Exhortatioun made be Mr James Lowfone. Leits, Mrs Robert Pont, Andro Hay, Andro Melvill: the said Andro Hay, be pluralitie of votes, was chofen Moderatour.

[To the effect matters might proceed formally and with expedition, he desired certain brethren to be appointed to conven with him at extraordinary hours, to give their advice with him, in matters to be proponed and treated during this Affemby. Left that any should conceive any offence be that kind of order, as heretofore, it is said, men have done, that they should presently propone some substantial reason for the misliking thereof: The brethren in one voice, after that no man had opposed in the contrary to the said order, desired him to nominate the said persons whose conference he craved; and appointed them to conven in the Easter Kirk at seven hours in the morning every day and at two afternoon: Who nominated Mr Robert Pont, Mr James Lowfone, Mr Andro Melvill, Mr Thomas Smeitoun, David Fergusone, Mr David Lindfay, Mr George Hay, Mr Thomas Buchannan, Mr William Rynd, and the Commissioners of Edinburgh to that effect. C. & B.]

Sessio 1<sup>a</sup>.

[The Laird of Braid, Mr David McGill, Mr Thomas Smeton, Mr David Lindfay, Mr Andrew Hay and Mr John Young were directed to the Kings Majestie to require his Hienes humblie, that he would direct some persons authorized with his Hienes commission to concurre with them in their Assemblie.

Item, To crave answers to the articles given in lately by the Assemblie to his Hienes and Counsell; and if a delaying answer be given, to crave that the Platt be superceded till they receive the said answer.

Item, To crave some order to be taken with Mr Nicol Burne.

Item, That order be taken with papists in the Kings house; to insift with his Hienes and Counsell, for calling of the letters wherewith the Commissioners are summoned before the Counsell, and for reasoning of that cause: and to report the Kings Hienes and his Counsells answer to the Assemblie. C.]

Sessio 2<sup>a</sup>.

The Bishops of Sanct Androes, Glasgow, Aberdeen and Murray beand callit, nane [of them] compeirit.

[The Commissioners being tryed; and Mr John Spotfwood accused, That he had not reforted to the Assemblie at Dundie; and that he had not visited since the last Assembly: Excused the first be sickness; the other be shortness of tyme, and that he served upon his own expenses, as he had done these nine years.

Mr Andrew Blackhall removed, was accused, That he admitted an unqualified man to the Ministrie of Ettlestone: His answer, He admitted him only to be an exhorter, and that be advice of certain brethren; alwise he is now discharged of his Ministrie. The Assemblie findeth nor acknowledgeth no such offices in the Kirk of God, as they will not acknowledge any such in tyme coming; and findeth, That the said Mr Andrew, in this behalf, hath not done his duty.

Mr Patrick Gates found fault with, That Mr Thomas Cranston being within his jurisdiction, had ministred the sacraments without examination

preceeding, and without his own parish ; other tymes committs the examination of the people to Readers ; baptizeth bearnes privately ; that he had celebrat the Communion in Innerlethen on Pasch day to maintain superstition. He answered, He had taken order with him for baptizing of bearnes privatly ; but as for the rest of the accusations, He understood not before.

The Assemblie giveth commission to the brethren of the Exercise of Edinburgh, to call Mr Thomas Cranston before them, and accuse him of ministratation of the sacraments without his own parochine, without examination preceeding ; and of committing other whiles the examination of the people to Readers ; for baptizing of bearnes, and preaching in privat houses ; for celebration of the Communion at Pasche and such days, to maintain superstition ; and to try every head thereof : and after trial and due examination of the said crimes, to put order to him, according to the quality of his offence, and the acts of the Kirk ; and what herein be done to report to the next Generall Assemblie.

Item, Full power and commission is given to the brethren of the Exercise of Edinburgh, to summond James Blackwood and Alexander Stevin to compear before them, and to accuse them of their usurpation of the Ministrie, after their lawful deposition ; and if they find they have usurped the said office, to put order thereto, for their contempt ; and if they continue in their contempt and stubborness, to proceed with excommunication against them. C.]

### Sessio 3<sup>a</sup>.

Anent the report of the Kings Grace and his Counsells ansuer to the petitionous proponit be word be the brethren of the Kirk yesterday : The brethren [directed to the King and Counsell] returnit [their] ansuer [following : As to the answer craved] to the articles [of the Kirk,] His Hienes and Counsell promittit to give resolute ansuer to the same the xv day of the nixt moneth, and to stay the Platt quhill then.

[Here wanteth in the Register the rest of the third Session, the fourth, fifth, sixth, and a part of the seventh, till the page 937, plucked out in the year 1584. C.]

Sessio 7<sup>a</sup>

In name of my Lord Lennox compeirit Mr Hendrie Keir, and salutit in his name the hail Kirk, declaring that his Lordship was most willing to have a Minister in his awin house, for exercise of the true religioun : and albeit he had promised at the subscribing of the articles of the religioun, to send for a Minister that had knowledge of the French tongue, git be reason Mr Bowis had promised [that] he should cause him be provydit of ane qualified Minister, according to his desyre, quhilk tuik no effect, and vtherwayes because also his desyre was, that rather the Kirk should choose [and elect] him a sufficient pastour, the matter hes sensyne lyin ovir ; willing heartlie that the Kirk should wryte to some pastour of the French Kirk of London, for whose provision and good intertainment he should be carefull : promising alsua in his name, that in the affaires of the Kirk, either in generall or particular, he should imploy his good affectioun and labours as he should be chargeit ; desyreing that no vther opinioun should be conceivit of him nor of ane man that meanes truly toward God. The Kirk present hes willit thair brother Mr James Lowfone to pen a wryting in their names to the Minister of the French Kirk of London, to the effect forsaid.

Anent the transporting of Mr Andro Melvill, Principall of the Colledge of Glasgow, to the Vniversitie of Sanct Androes, conforme to the Kings Graces wryteing direct to that effect : After some publick reasoning on the matter had on either syde, the Kirk referrit the farder disputation therof quhill afternoon. In the meane tyme, the questioun beand movit, If the Kirk might concurr with the Kings Majestie in transporting of Doctors fra ane Vniversitie to another for wechtie and necessar causes : The Kirk and Assemblie present, for the most pairt, vottit to the affirmative of the said questioun.

Sessio 8<sup>a</sup>

[Forfameekle as commissioun was lately given to the brethren of the Exercise of Edinburgh, to summond certaine apostats before them, and to take order with their defection, conforme to the commissioun granted to

them for that effect ; and that the brethren understand there be divers degrees of apostasie, which, according to the quality and weight, would be respected, and punished : The Assemblie hath ordained their brethren, to wit, Mr James Lowson, Mr John Craig, the Superintendent of Lothian, Mr Thomas Buchanan, to penne and put in form their judgments concerning the diverse ranks and degrees of apostats, with the order of discipline to be followed out against every one of them ; and to be presented to the full Assemblie the morn at 9 hours. C.]

Sellio 9<sup>a</sup>.

Anent the act made in the last Assemblie, concerning the damning of the pluralitie of kirks in ane Minister : The Kirk [has ordained, and] ordaines the same to be pnt in executioun be the Commissioners of Provinces, after the tenour therof, under the paine of disobedience.

Anent the act made in the last Assemblie tuiching the Bischops : In respect that the ordour of the said act hes not bein followed out against the Bischops of Murray and Aberdein, conforme to the tenour therof, The haill Kirk, as of befoir, [hath ordained, and] ordaines the Commissioners of the Countreyes to put the said act to execution in all points, so farre as concerns thair part therof, and the Ministers, so farre as is appointed be the said act vnto them ; vnder the paine of making publick repentance in face of the haill Generall Assemblie, if they be found to contraveine the said act : And as to the warning and futeing of the said Bischop of Murray, Ordains him to be warnit in Elgin publicklie in the kirk.

[Anent the report of the reasoning and conference had with the Bischops, be the brethren appointed thereto, according to the desire of the Assemblie : Mr David Makgill presented the famine in writt, which was read ; and the registring thereof superceeded, till the full conference thereof had been made, and conceived in writt. In the mean tyme the said brethren were desired to proceed farther in their conference afternoon, and to report their proceedings to the Assemblie. C.]

Ordaines Mr Thomas Buchannan to summond the Bischop of Cathnes, and Johnne Hepburne to summond the Bischop of Brechin, to compeir in the nixt Generall Assemblie, to give thair submision and assent to the speciall heids conferrit and aggreit vpon be the Bischops of Sanct Androes,

[Glasgow,] and of the Yles, with the Assemblie, [to be conteinit expresselie in the summonds]; certifieng them and they compeir not, the Kirk will proceed with farder admonitiouns against them. And in cace that the said Mrs Thomas and Johne fulfillis not the said ordinance, the Kirk hes decernitt against them, that they fall make publick repentance opinlie in face of the hail Assemblie.

The Generall Assemblie gives full power and commissioun to thair lovit brether of the Exercise of Edenburgh, with Mr Johne Craig, Minister of the Kings house, if he be present, to call the Bischop of Orkney befor them, and to charge him in name of the Kirk, to give submissioun and assent to the articles and heids aggreeit on betuixt the Bischops of Sanct Androes, Glasgow, and of the Yles, [and them;] and to receive his answer therevpon, to be reportit with the hail proceeding therein to the next Generall Assemblie.

Ordaines Mr Andro Hay to summond the Visitour of Argyle to compeir [before] the next Generall Assemblie, to answer vpon the vsurpation of the office of Visitatioun within the said bounds, vnder the paine of disobedience.

Anent the request made be the Commissioners of Perth to the hail Kirk, that in respect of the inlake of vmquhile Mr John Row, thair late Minister, ane notable man within the Kirk, and of the great necessitie the towne had to be provydit of a singular good man, both for doctrine and good discipline, That the Kirk wald favourablie grant to the placing of Mrs Thomas Smeitoun or Johne Craig ther. The Assemblie, considdering the many impediments why thair said brether might not be planted ther, gives to the said towne any of the Ministers following, viz. Mrs Andro Simfone, James Anderfson, Johne Davidfone, and ordaines any of them that salbe best lyked of the said towne, the said Minister to be placit at the said Kirk.

#### Sessio 10<sup>a</sup>.

[Anent the question proponed,] Whither if any Minister may be removit be the Generall Assemblie of the Kirk fra his particular flock, [without] consent of his flock, for good and necessar causes: The Kirk answerit

therto affirmativé, [That they might be removed be the Generall Affembly, without their consents, for good and necessar causes.]

[As to the question moved,] Whither if in respect of the present necessitie, that ther is no Doctours within this realme, a Minister [or a Pastor] may superfeid the office of Pastordhip for a tyme, and vse the office of a Doctour. It was answert be the Kirk, That it may, be the command of the Generall Kirk, and vpon good consideratiouns.

[In respect that there are fundrie impediments alledged to stopp any man to enter presently to the Colledge of Sanct Androes, as namely, that the compts are not yet taken : The Affembly desired Mr Patrick Adamson, the Laird of Lundie, Mr James Lowson, Mr Andrew Melvin, to conferr on the morne with the Clerk Register anent the state of the same Colledge, and to report his opinion to the Affembly. C.]

#### Sessio 13<sup>a</sup>.

Forfameikle as be evident experience it is knowin to the Kirk, that of late dayes fundrie apostates are returned within the countrey, and are spred in diverse provinces, as in Angus and vther parts, and no kynd of discipline as yet vsed against them, to the great slander of the Kirk of God, greife of the conscience of good men, and contempt of the acts of the Kirk : The Generall Affembly [has therefore ordained and] ordaines the Commisioners of Countreys to put the act of the last Affembly [concerning apostates] to execution against them in all points ; and to vse the forme of discipline against them, as is vsed against adulterers : and this act and ordinance to be followit out [and execut] be the Laird of Dun against the 10 day of November nixt to come, within his province, against the Master of Gray, and vthers suspect of the said apostasie.

Anent the ordour of Visitours : Forfameikle as it is considerit be the Kirk to be ane corruption, and [to] found to tyrannie, that sick kynd of office shuld stand in the person of ane man, quhilk shuld flow from Presbyteries ; and nottheles the estate of tyme, and lake of present ordour for establiching and constituting of Presbyteries, suffers not the present alteration of Visitours : It is considerit and thocht meitt, that my Lord Clerk of Register shuld be requesit to concurre with the Laird of Dun, Mrs Robert Pont, James Lowfone, David Lindefay, Johne Craig, and Johne



Duncanfone, or any thrie or four of them, to lay [doun] and devyſe a Platt of the Presbytries and Conſtitutiouns therof as beſt appeirit be thair judgement, to be reportit be them againe the nixt Generall Affemblie : And as to the preſent, [the Affemblie] appointit the Viſitours [following] to have the overſight of the Provinces [within the bounds of their viſitation reſpectivé] quhill the nixt Affemblie.

[Mr James Annand :—Orkney.

Mr Gilbert Foulſie :—ſetland.

Mr George Hay :—Cathneſ.

Mr John Robertſon :—Roſs.

Mr Patrick Auchinleck :—Murrey.

David Howefon,

Mr George Hay, } . Angus and Mernes.

Mr George Paterſon,

The Laird of Dun,

William Chriſteſon, } . Angus and Mernes.

James Anderſon,

Mr John Young :—Kyle, Cariſt, and Cunninghame.

John Duncanſon :—Galloway.

Mr John Campbell :—Yles, Argile.

Mr Thomas Buchanan, } . Fife.

David Ferguſon,

Duncan M<sup>c</sup>ala,

Mr Alexander Dynneir, } . Dunkeld.

Mr John Spotſwood,

Mr David Lindſay, } . Lothian.

John Clapperton :—Merce.

John Durie :—Tiviotdail.

[Mr Andrew Blackhall :—Tweddail.

Mr Andrew Hay :—Clideſdale, Ranfrew, &c.

Mr Robert Lindſay :—from Lanerk up the one Waird of Clide.

Mr Peter Watſon :—Nithifdail. C.]

The Affemblie gives full power and commiſſion to [their beloved brethren] the Laird of Lundie, Braid, Haltoun, Andrew Ker of Fauldonſyd, Mrs Johne Craig, Johne Duncanfone, Miniſters of the Kings houſe,



Robert Pont, James Lowfone, Patrick Adamfone, James Boyd, David Lindfay, Thomas Smeitoun, George Hay, Andro Hay, Adame Johnftoun, David Fergusone, David M'gill, Johne Prestoun, elder, Commiffioner of Edinburgh, or any fixe of them, to compeir befor the Kings Majestie and his Counsell, the xv day of November nixt to come, and with all [humility, due fubmiffion, and] reverence, crave [and earneftly defire] anfuer to the articles givin in fen the laft Generall Affemblye vnto his Hienes and honourable Counsell, and to reafon and conferre therevpon; with power to thair haill brether nominat in this commiffioun, or to the moft part of them, to refolve, difcerne, and finallie conclude, in name and vpon the behalfe of the haill Kirk, with the Kings Hienes and Counsell therevpon, as falbe moft neceffar and expedient for the advancement of the glorie of God, intertainment of the Evangell of Jefus Chryft, [and welfare of the whole Kirk,] ficklyke and als frielie as if they were perfonallie prefent: firme and ftable haldand and for to hald quhatfoevir thair faid brether or the maift pairt of them in the premiffes [righteouslie] leids to be done.

The Generall Affemblye ordaines their brether [underwritten, viz.] the Laids of Lundie, Seagy, and Colluthie, with Mrs Robert Pont, James Lowfone, and William Chriftefone, to paffe with Mr Andro Melvill to the new Colledge of Sanct Androes, and fie him placit ther conforme to the directioun and decret of the Kirk: And ficklyke to call the papifts [that are] within the Vniverfitie befor them, and put ordour vnto them according to the acts of the Kirk.

Forfameikle as the Generall Affemblye [of the Kirk,] according to the Kings Majesties wryting, and for the weill and the vniverfall profite of the Kirk of God within this realme, hes thocht meitt and expedient, and els concludit and ordainit, That Mr Andro Melvill be transportit from the Vniverfitie of Glasgou to the new Colledge of Sanct Androes, for erection and planting therof: Nottheles that the good beginning and labours tane be the faid Mr Andro be not frustrate, The haill Kirk hes found good and neceffar and expedient, That the faid Thomas Smeitoun occupy the faid Mr Andro his place and office in the faid Vniverfitie [of Glasgou,] and ordaines him to accept the charge therof vpon him: And ane wryting to be directit, in name of the haill Kirk, to the Rectour and the Principall of the Vniverfitie, requeifing [them] to receive him in the faid Mr Andro his place, for the weill and confort of thair Vniverfitie.

Mr Andro Hay, as Rector of the faid Vniverfitie, in name therof, diff-

affenting from the removeall of Mr Andro in any wayes, made protestatioun as of befor.

[Anent the Question proponed,] Whither if a Minister entering in the functioun of the Ministrie, serving therein diverse yeirs, and thereafter leaves his vocation, and applyes him to a civill [place and] office, may be admittit to be ane Elder of the Kirk: It is answered [be the brethren appointed to the resolution of Questions, That] this man is desertor gregis, and should not be admittit to be ane Elder [within the Kirk,] but rather ought to be called for his desertione.

Ordaines Johne Brand to delyver to my Lord Justice Clerk, the Kings Majesties command, givin in wryte, for raising of letters against Mr Nicoll Burne.

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A. D. M. D. LXXXI.

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THE Generall Affemblie conveyit at Glasgow, the 24 day of Apryle  
[1581:] Quher ther was present the Commiffioner for the King,  
the Laird of Capringtoun.

Sessio 1<sup>a</sup>

[Exhortatioun beand made by Mr Andro Hay, Mrs Robert Pont, David Lindsay, and William Chrystefone, were put on leitts: The said Mr Robert, be pluralitie of votis, was chofin Moderatour, who, for the better expeditione of matters to be treated at this time in the Affemblie, desired the concurrence of certain of the brethren in privat conference, namely, Mr Andro Hay, Mr James Lowfone, Mr David Lindsay, Mr Thomas Smeitoun, William Christifone, David Fergufon, the Lairds of Braid, Dunrod, and Pilrig; whom the Affemblie required and appointed to convey, during the continuance of this Affemblie, with him, at 7 hours in the morning, and two hours afternoone, in the Colledge Hall to that effect. C. & B.]

Sessio 2<sup>a</sup>.

Forfameikle as, for purgatioun of the Ministrie fra vnworthie persons that had entrit in the functioun therof, to the great slander of God and his

Kirk, ordour was takin in the laft Affeembly, That all men, afweill Barons, Gentlemen, as vthers of the functioun of the faid Miniftrie, fould give vp the names of the faid perfons to the Kirk, as they will anfuer to God vpon thair confciences : Nottheles, be fhortnes and inlake of tyme, no great effect followit, fo that get the slander lye vpon the head of the Kirk ; therfor the Affeembly, git as before, requyres all men, as they tender the glorie of God and the weill of his Kirk, that they delait and give vp the names of fick perfons in ane tickett, the morne afternoone, that ordour might be takin for removing of the great slander arifing to the hail Kirk be fick vnworthie perfons.

[ Here a want of the thrid and fourth Seflion. C.]

Seflio 5<sup>a</sup>.

[Forfameikle as it is meant be fundry of the brethren, that the ordinance concerning Bifhops at Dundee is not yet fatisfied, albeit fome articles in Conference be agreed on ; and that their opinion is, that the whole office of a Bifhop, as it is ufed, is damnable, and be the faid aēt they fhould be charged to dimitt the fame ; and others of the brethren would mean only to comprehend the fpiritual functiounes of a Bifhop, and no further : The Affeembly hath ordained this matter to be difputed the morn in full Affeembly, that all men may be refolved of the mind of the Affeembly therein. C.]

Seflio 6<sup>a</sup>.

Anent the aēt made in the Affeembly [holden] at Dundie againft the Bifhops, beand fome difficultie appeirit to fome brethren to arife be the word Office, conteinit in the faid aēt, quhat fould be meinit therby : The Affeembly prefent, for the moft part of them that was prefent and voted in [the Affeembly at] Dundie, to take away the faid difficultie, and refolve men of the true meaning and vnderftanding of the faid aēt, declares that they meanit haillelie to condemne the [whole] eftate of Bifhops as they

are now in Scotland, and that the same was the determinatioun and conclusion of the Kirk at that tyme.

The Laird of Capringtoun presentit the Kings Majesties letter vnto the Assemblie, containing also ane commissioun from his Hienes to concurre with the Assemblie, togither with certaine rolls containing the planting of the kirks, and the number of the presbyteries, with the kirks of every presbyterie ; quhilk the Kirk ordainit to be considerit be [their brethren underwritten, who best knew the bounds of the country, to wit,] Mrs Johne Ros for Ros, Johne Innes for Murray, the Commissioners of Aberdein for Aberdein, William Christefone for Mernes and Angus, [Mr Andrew Mill for                   ,] Duncane Macall for Dunkeld, Thomas Buchannan and David Fergusone for Fyfe, Johne Johnstoun and Mr Adame Johnstoun for Edinburgh, James Carmichaell for Haddington, George Johnstoun for Jedburt, the Laird of Lie for Lanerik, Andro Hay for Glasgow, Johne Jong for Air, John Clappertoun for the Merse, John Duncanfon for Galloway, and to conveyne the morne at vj houres to fight the samein, and to report thair judgement therof to the Kirk.

[Mr Patrick Galloway, at the desire of the Commissioners of Perth, getteth liberty of transportation to the said toun. C. & B.]

[For answering of Bills and Questiones, the Assemblie appointed Mr James Carmichel, Mr Adam Johnstoune, Mr Andrew Polwart, Mr John Porterfield, Mr James Nicolson, John Brand, and Mr Andrew Blackhall, to convene the morn at six houres in the Colledge, and so furth dayly while the famine be answered ; permitting alwayes matters of great weight and difficulty to the resolutione of the full Assemblie. C.]

### Sessio 7<sup>a</sup>.

[It was thought meet that Master Alexander Arbuthnot should be transported to the Ministrie of Aberdein, and ordainit that he demitt the Principallitie of the Colledge in favours of Mr Nicoll Dalgleisch. C. & B.]

Anent the Kingis Majesties petitioun proponed in wryte and exhibite to the Assembly this day be his Hienes Commissioner, with the ansuer vnto the articles given in be the Kirk vnto his Hienes, and the copie of a letter to be direct to the Barrons, Gentlemen, and Ministers, for vnion and division of the kirks, with the names of the persons to take travells therein :

The Kirk vnderstanding thereby the godlie [and] zealous meaning of his Majestie, praisit God greatlie, that had moveit his heart to have a care of his Kirk; and first entring to the consideratioun of the anfuers to the articles of the Kirk, thocht good [that] get thir articles be infistit in at his Hienes hand and counsell.

1. His Hienes and Counsell to be earneftlie defyrit to appoint a Judge in Edinburgh to cognosce and judge vpon wrangs done to Ministers in execution of thair offices, and to punish according to the qualitie of the crymes, according to the form of punishment to be given in be the Kirk; and that his Hienes wald appoint Mr Johne Skeine for Procurator to the Ministers that are so injured.

2. That ane act of Parliament may be made concerning the deposition of Ministers, and the causes at lenth to be exprest in this article.

3. That the benefices vaikand be disponit to the Ministers [at the kirk] quher the benefice vaikes, if they be abill, according to the meaning of them that conferred at Striveling.

#### Anent the Kings Petitiouns.

As to the first petitioun concerning the formeing of the Articles aggregit upon in the Conference: The Kirk appoints Mrs Robert Pont, David Lindfay, Johne Skene, Thomas Craig and Johne Craig, to that effect.

As to the second: Delayit quhill afternoone.

As to the third: Reasonable and aggregit on.

The haill rest referrit to reasoning at afternoone.

The tenour of the Kings Majesties Petitiouns givin in be his Hienes Commillioner.

Instruētious to our trustie and welbelovit William Cuninghame of Caprintoun, direct be vs, with advyse of the Lords of our Secretit Counsell, to the Generall Assemblie of the Ministers of the Kirk conveyit at Glasgou, the 20 of Apryle 1581.

Ze sall delyver our letter vnto them, and let them vnderstand, that sick of thair number as travellit with vs, having defyrit of vs answere to thair articles send from the Assemblie haldin in Dundie 3 Julij last, We caufit

some of our Counsell conferre with them severall tymes in October last, as also now of late ; quhillkis all finds the matter towards the thrids of the benefices mentionat in the first of the saids articles, as the same is ther requyrit, not to be the readiest [meine], either to make the Ministers assured of thair stipends and livings, or get to make vs to have any reasonabill support therby, for reliefe of the commoun charges of our estate ; ther being so great alteration and diminutioun of the rents, and so great confusioun vtherwayes entrit in that matter, dureing thir xx zeirs and more now by-past ; and that therby ther behooves ane forme and ordour to be preseryvit vnto, mair lickle to have continuance to the posteritie to come, to the removing of all occasions of complaint. For the furtherance therof, ther is, be commandment and advyce of sick of our Counsell, and the Ministers as conferrit in this purpose, some forme drawin, how Elderships may be constitute of a certaine number of parochines [lyand] together ; small parochines to be vnited, and the great to be divydit, for the better sustentatioun of the Ministrie, and the more commodious resort of the commoun peiple to thair kirks.

There is also [drawn] the forme of [a] letter of ours to be wrytin to some of the principall noble and gentle men, and certaine of the Ministers within the bounds of every Elderschip, to conveye, advyse, and report thair advyce to vs in things requyrit be vs in our said letter, betuixt and the 24 day of Junij nixt. This We thoght convenient to communicat with you to the Affemblic now to be conveyit at Glasgou, requyreing them, in our name, to consider therof, and to send vs thair opinioun and judgement anent this intendit wark, and of any thing that they wold wisch either to be addit or diminischit in the forme of our letter or vtherwayes, befor the same salbe directit : quheranent if care and diligence salbe takin be them, as our intentioun, God willing, is to doe, to the furtherance therof, as becomes vs, We have no doubt but God fall send fruitfull successe of our travells, to the removing of the great diffordours and confusions now standing for want of reformation.

These grounds advysit weill and aggreit vpon, appeirantlie it fall not only, with reasonable tyme, make the Ministers be surelie provydit of thair livings, bot it fall bring the ecclesiasticall discipline to be farre better exercised and execute over all this realme nor it is presentlie : It being clarit, first, what every Presbitery fall cognosce vpon ; nixt, quhat salbe in every Synodall Affemblic ; and last, quhat causes salbe devolvit to the



Generall Affemblie ; and quhat persons fall ordourlie neid to repaire thereto, and have vote therin. The report of thir our letters returning againe the sooner, it may be provydit with diligent travells, that the good ordour now intendit may take beginning at the first day of November nixt without langer delay. And if our Parliament, vpon any necessar occasion, falbe conveinit in the meane tyme, the same ordour, or sa meikle therof as falbe in readines, may be past and approvit in forme of law.

The second article was answert in sick fort as We trust they were satisfie with.

To answer the thrid article, the desyre therof must be more speciall befor it receive ane speciall answer.

They have to confidder in whose default and negligence the persons, complainit vpon in the fourth article, remaines unpunischit.

Our answer to the fyft article is sufficient, quhill, vpon farder advyse, it may be made more speciall.

We doubt not also bot our answer to the sixt article falbe found reasonable vpon speciall conference had theranent ; and that thair desyre, if it were grantit in the forme requyrit, could not but induce [some] inconvenients.

Ther is ordour takin anent the desyre of the sevinth article.

There is some ordour alreadie begun for the farther help and confort of the Erle of Arran, quhilk falbe followit as occasion fall serve.

We have causit and [yet] will cause the Conference to be keipit, for the furth setting of all things requisite, that may sett fordwart the Policie, quhill the same may be establischt be law.

Our former answers are reasonable ; and no insisting hes bein in the contrair in the matters sensyne.

Moreover, Ze fall let the Affemblie vnderstand, that, in the particular conference bygane, fundrie matters hes bein aggreit vpon, in generall termes, as they were talkit and put in memoir ; but zet are not put in sick formes and termes as it were meitt to put them in Articles to our Estates in Parliament, to be past and approvit as particular laws : and therfor let the Affemblie appoint some of thair number to extend and put thir articles in sick forme and ordour as they wald wisch them to be past in Parliament ; speciallie in thir heids :

That the Affemblie will inquire and cause informe vs of the speciall



names of the persons culpable of the faults notit in the Act of their last Assemblie holdin at Dundie, viz.

That the Bischops and Commissioners may be admonischit to refuse Reidars the titles of benefices vaikand sen the first day of November last bypast, althogh presentation have hapnit or happin to be [made after that fort.]

That the Assemblie declare how many sufficient and weill qualified Ministers ther is presentlie in Scotland, and in quhat place they wilch them rathereft to serve.

And that they give thair advyce, how the remanent kirks, quhervnto Ministers cannot be had presentlie, may be servit, quhill mair Ministers may be had, and that the present auld possessours of the benefices be departit this lyfe.

That they give vs thair opinioun and advyce of that portioun of the rents pertaining to the kirks befor the alteratioun of religioun, quhilk they think fall fall to vs, in cace all benefices were now vaikand : And in the meane tyme quhill they be, quhat We fall have geirlie for the support of our estate and publick affaires of our realme.

That they confidder the forme and proceeding, how the taxt for the spirituall mens part salbe payit in tymes coming.

As also to make vs some lickle and good overture for the personages that fall occupie the place of our spirituall estate in Parliament in tymes coming, after the deceis of the present possessours in the place, in respect of the great decay of the rents therof.

That they send vs thair good advyce, how a forme of judgement may be establischt, quhill a Parliament, for calling of persons provydit to benefices sen our coronatioun, to be deprivit therfra, vpon the clause irritant containit in thair provisiouns, for not doing thair duetie in thair vocatiouns, bot leaving thair charges and midling with thair secular benefices.

That the Assemblie give thair advyce vpon the forme of presentatioun that We fall give [to these] to be provydit to benefices, if this ordour take effect ; quhom to our presentation salbe directit ; quhat salbe the forme and ordour of the tryall ; and how fall the person presentit be tryed ; and quhat forme of admissioun or collatioun.

For ane ground thir heids are to be confiderit.

That beyde the Dyocie of Argyle and of the Yles, of quhilks bounds never rentals was ȝet givin up, ther is in Scotland about nyne hundreth and twentie foure kirks, comptand fyve fcore to the hundreth. Of thir fundrie are pendicles and small parochines, and many kirks demolifchit. Some parochines alfo are of greater bounds nor the parochiners may conueine convenientlie to thair paroch kirks. It has bein thoght meit, therefor, to reduce thir nyne hundreth and twentie foure kirks to vj<sup>e</sup>, and at every kirk to have a Minifter ; thair fhipends and livings to be [modified] in four degries.

Ane hundreth at . . . . . v<sup>e</sup> marks the peice.

Two hundreth at . . . . . iij<sup>e</sup> marks the peice.

Two hundreth at . . . . . c lb the peice.

Ane hundreth at . . . . . c marks the peice.

Or fomewhat more or leffe, as it may be neir thir fowmes, beneath or above.

All fhipends and livings to be modified according to the poffibilitie of the rents payit in that place.

Thir confideratiouns are to be takin in, altho all the benefices were prefentlie vaikand.

Quher the perfonage and viccarage penfion at any kirk are now feveral benefices, to be all vnited and annexit in ane, for the better fuftraining of the Minifter ther.

Thir fax hundreth kirks to be divydit in fiftie Prefbyteries, twelve to every Prefbytrie, or therabout.

Thrie of thir Prefbyteries, or moe or fewer, as the countrey lyis, to make ane Diocie, according to ane forme after following, to be confiderit of.

Of thir number, certaine of Prefbyteries, falbe the Synodall Affemblic : and ilk Synodall Affemblic fall appoint the place within that province for thair nixt Synodall.

Of perfons direct from the Synodall Affemblies, fall the General Affemblic confift.

Kirks divydit in quarters, to be provydit to ane man ; and if thefe quarters be annexit to any vther benefices, the quarters to be difleverit out of the provifion of the perfons to be provydit to thefe benefices, quhen they vaik.

The kirks divydit inter Prebendarios, to be given to the Minifters as they vaik.

All benefices provydit to Minifters, to be divydit the 3eir of thair de- ceife, equallie betwixt thair wyves, bairnes, or executours, and the intrant Minifters.

3ong men new comeing from the fchooles, falbe only promovit to the benefices and ftipends of the loweft degrie; and the eldeft, of greateft [learning] judgement and experience, to be promotit to the higheft rank; and fo to afcend gradatim, as they falbe judgit and tryed worthieft, from thrie 3eir to thrie 3eir, for better efchewing of ambition and avarice; and that the charge of the greateft congregations fall not be committed to the 3ong Minifters at the firft, nor fall they be preferritt to the eldeft, of greater gravitie and judgement, at the firft.

The eftate of all Prebendaries to be agnofcit and confidderit, quiblk are foundit vpon the teinds of the paroch kirks, and quhilks are temporall lands; to the effect that fick Prebendaries as are foundit vpon teinds, may accreafe to the living of the Minifters ferving at the kirks; and the vthers to be provydit for the help of the fchooles in the beft forme that may be devylit.

And alwayes the Lawit Patronages to remain haill and vniounit or undivydit, except it be with confent of the Patrons.

#### Ane forme of the Prefbiteries and Dyocies.

Orkney, .	{ Tingwell.	Murray, {	Forres.
	{ Kirkwall.		Elgin.
Cathnes, .	{ Weik.		Inuernes.
	{ Dornoch.		
	{ Striveling.	Bamfe, {	Bamfe.
Edenburgh,	{ Linlithgow.		Deir.
	{ Edenburgh.		Kildrimmie.
	{ Dalkeith.		
Haddingtoun,	{ Haddingtoun.	Aberdein, {	Aberdein.
	{ Dumbar.		Inuerrourie.
			Kincardononeill.
	{ Channonrie.		
Ros, .	{ Tayne.	Angus, {	Dundie.
	{ Dingwall.		Keiremure.
			Kethenis.

Mernes,	{ Beruoy. Fordoun.	Glasgow,	{ Lanerick. Glasgow. Dumbartan.
Dunkeld,	{ Perth. Dunkeld. Creiff.		
Sanct Androes,	{ Sanct Androes. Falkland. Dumfermling.	Air,	{ Air. Irwing. Mayboill. Commonell.
Jedburgh,	{ Chirnefyde. Dunce. Kelfo. Jedburt.	Galloway,	{ Quhitterne. Kirkudbright.
Peblis,	{ Melros. Peiblis. Bigger.	Dumfreis,	{ Dumfreis. Penpont. Lochmabane. Annand.

Sessio 8<sup>a</sup>.

Anent the report of the brether appointit to confidder the placing of the kirks givin in to them in rowis, and to report thair judgement quhat they think meit to be reformat therin: A great part of the said rowis beand reproduceit with thair judgement, quhilk they presentlie could resolve vpon in sick shortnes of tyme, quhill they be farther resolvit with advyce of the Countreyes, the haill Assemblie thocht meitt, that ane beginning be had of the Presbyteries instantlie, in the places after following, to be examplatour to the rest that may be established heirafter.

## The Presbitrie of Edinburgh.

Edinburgh.	Natoune.
Halirudehoufe.	Sanct Cuthbert.
Castell of Edinburgh.	Corstorphine.
The West toun of Dudinstoun.	Cramont.
Leith.	Gogar.
Restalrig.	Ratho.
Mussilburgh.	Kirknewtown.

Currie.  
Sanct Bothones.

Hayles.  
Libbertoun.

The Presbiterie of Dundie.

Dundie.  
Ballumbie.  
Maynes.  
Strekmairtin.  
Monofuith.  
Morrois.  
Logiedundie.  
Liff.  
Inuergowrie.  
Tealing.

Lundie.  
Benvie.  
Auchterhoufe.  
Inchftuire.  
Roffie.  
Langforgane.  
Fowles.  
Inueraritie.  
Kirkbuddo.

The Presbitrie of Sanct Androes.

Sanct Androes.  
Sanct Leonards.  
Seres.  
Craill.  
Anstruther.  
Carnbie.  
Newburne.  
Dinninow.  
Kilconquhar.  
Abercrombie.  
Largo.

Couper.  
Auchtermoonlie.  
Leuchars.  
Forgund.  
Balmerinloch.  
Logiemurdo.  
Kilmanie.  
Dairfie.  
Kenbeg.  
Kilrannie.

The Presbitrie of Perth.

Perth.  
Kynnowll.  
Kynfawns.  
Methven.  
Pitcairne.  
Kinclevin.

Logiebryde.  
Auchtergellie.  
Scoone.  
Cambusmichaell.  
[Sanct Martins Kirk.]  
Tibbermure.

Dumberny.-  
 Pottie.  
 Moncreif.  
 Rynd.  
 Duplin.  
 Abernethie.  
 Dron.  
 Arngofk.

Mukarfie.  
 Forgundinie.  
 Aberdagie.  
 Forteviot.  
 Mongie.  
 Regortowne.  
 Loncardie.  
 Trinitiegask.

The Presbitrie of Stirling.

Cambuskenneth.  
 Logy.  
 Dumblane.  
 Lycrop.  
 Kilbryde.  
 Aberfull.  
 Port.  
 Clackmannan.  
 Tulliebodie.  
 Tullieallan.  
 Kilmadock.  
 Kinkairne.

Sanct Ninians Kirk to be  
 divydit.  
 Lairbar.  
 Dunipace.  
 Kirk of Muir.  
 Kippen.  
 Alvethe.  
 Tilliecutrie.  
 Kilmahugo.  
 Leny.  
 Calendrethe.  
 Airth.  
 Bothkenner.

The Presbitrie of Glasgow.

Glasgow.  
 Campsie.  
 Fintrie.  
 Strabran.  
 Calder.  
 Monkland.  
 Lengie.  
 Ranfrew.  
 Inchinnan.  
 Cambuflang.

Rutherglen.  
 Carmannock.  
 Bothwell.  
 Shottis.  
 Paislay.  
 Mernis.  
 Neilfoun.  
 Kilbryde.  
 Torreis.  
 Govan.

Blantyre.  
Eiftwood.

Cathcart.  
Monyabrock.

The Prefbitrie of Air.

Air.  
Alloway.  
Tarbolton.  
Barnwell.  
Cumnock.  
Monktoun.  
Sanct Kevoeks.  
Preftick.  
Vchiltrie.

Auchinleck.  
Machleine.  
Gastoun.  
Queiltoun.  
Craigy.  
Rickartoun.  
Dundonnald.  
Symontoun.

The Prefbitrie of Irwing.

Irwing.  
Large.  
Kilbryde.  
Ardrossan.  
Kilwinning.  
Kilmarnock.  
Loudon.  
Dalry.

Dunlop.  
Kilburnie.  
Baith.  
Kilmauers.  
Preftoun.  
Dreghorne.  
Stevinfoun.

The Prefbitrie of Haddingtoun.

Haddingtoun.  
Elftanford.  
Sanct Martins Kirk.  
Bowden.  
Soutray.  
Bothanis.  
Morhame.  
Ormeftoun.  
Aberladie.  
Gulan.

North Berwick.  
Pencaitland.  
Saltoun.  
Tranent.  
Seatoun.  
Barro.  
Garwat.  
Fala.  
Keithmerfchell.  
Keithhumbie.

## The Presbitrie of Dumbar.

Dumbar.	Quhitinghame.
Spott.	Stentoun.
Lynton or Preston Kirk.	Whyte Kirk.
Inuerweik.	Bafs.
Auldhamstocks.	Auldham.
Coldbrandfpeth.	Tynninghame.
Auld Cammous.	

## The Presbitrie of Chirnefyde.

Chirnefyde.	Hiltoun.
Foulden.	Whitfome.
Mordingtoun.	Edrem.
Coldinghame.	Boncle.
Aittoun.	Prestoun.
Lambertoun.	Ellan.
Huttoun.	Sanct Bothanes.
Fifchuick.	Dunfe.
Horneden.	Langformagus.
Vpfettlingtoun.	Cranfchawis.
Lannell.	Langtoun.
Hirfell.	Foggow.
Simpren.	Swintoun.

## The Presbitrie of Lynlithgow.

Lynlithgow.	Torphichen.
Bynnie.	Bathcat.
Caldercottis.	Livingstoun.
Caldercleir.	Kynneill.
Strabrock.	Carridden.
Inchmachane.	Slamannen.
Kirklistoun.	Abercorne.
Auld Cathie.	Falkirk.
Drummanie.	



## The Presbitrie of Dumfermling.

Dumfermling.	Dyfert.
Carnock.	Weymis.
Inuerkeithing.	Methel.
Raffyth.	Kinglassie.
Auchterdyrie.	Culros.
Ballingarrie.	Crumbie.
Aberdoure.	Torrie.
Dalgettie.	Salein.
Auchtertoole.	Cleisch.
Kirkaldie.	Muckart.
Kinghorne Easter.	Dolour.
Kinghorne Wester.	Glendowan.

And to the effect this ordour of Elderships may be establischit in the saids townes with the better expedient and more convenient forme, the Kirk hes namit the brethren vnderwrytin to take care and travells, to sie the same constitute betuixt and the last day of May nixt to come, viz. for Lowthiane, Mrs Robert Pont, Adame Johnstoun, James Carmichaell ; for Fyfe, David Fergusone, Thomas Buchannan ; for Angus, the Laird of Dun, William Chrystefone, James Anderfon, James Melvill ; for Stirling and Lynlithgow, Robert Montgomerie, Johnne Duncanfone, the Bischop of Dumblane ; for Glalgow, Andro Hay, Thomas Smeitoun, Andro Polwart, and the Bischop of Glasgaw ; for Air and Irwing, Johnne Porterfeild, Johnne Gong and Johnne Mackorne ; for the Mers, Johnne Clappertoun, Patrick Gaits ; for Perth, the Minister ther, William Rynd, and William Edmestoun : Ordaining every Elderschip in the first Assemblie to be haldin, to choose out of thair number ane Moderatour to continue to the nixt Synodall Assemblie.

Sessio 9<sup>a</sup>. [28 Aprile 1581.]

Forsameikle as travells hes bein takin in the forming of the Policie of the Kirk, and diverse futes made to the Magisfrat for approbation therof ; quhilk albeit as yet hes not takin the happie effect that good men wald

crave; yet that the posteritie shuld judge weill of the present age, and of the Assemblie of the Kirk, the Assemblie hes concludit, That the Booke of Policie agreeit to befor, in diverse Assemblies, shuld be registrat in the Acts of the Kirk, and to remaine therin, ad perpetuam rei memoriam, and the copies therof to be takin be every Presbyterie: Of the quhilk the tenour followes.

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### HEADIS AND CONCLUSIONIS OF THE POLICIE OF THE KIRK.

Off the Kirk and Policie thair of in generall, and quhairin it is different frome the Ciuill Policie. CAP. I.

1. The Kirk of God sumtymis is lairgelie takine for all thame that professis the Evangell of Iesus Chryst, and so it is ane company and fellow-schipe, not onlie of the godlie, bot also of hypocritis professing alwayis outwardlie ane trew religioun.

2. Vther tymis it is takine for the godlie and elect onlie.

3. And sumtymis for thame quho exerce the spirituall function amangis the congregatioun of thame that profes the trewth.

4. The Kirk, in this last fence, hes ane certane power grantit be God, according to the quhilk it vsis ane proper iurisdiction and gouernament, exercit to the confort of the haill Kirk.

5. This power ecclesiasticall is ane auctoritie grantit be God the Fader, throch the Mediatour Iesus Chryst, vnto his Kirk, gadderit and haueing the grund in the Word of God; to be put in executioun be thame, vnto quhom the spirituall gouernament of the Kirk, be lauchfull calling, is committit.

6. The Policie of the Kirk, flowing fra this powar, is ane ordour or forme of spirituall gouernament, quhilk is exercit be the memberis appointit thairto be the Word of God; and thairfor is gevine immediatlie to the office beraris, be quhome it is exercit to the weill of the haill bodie.

7. This powar is diuerslie vsit: for sumtymes it is feuerallie exercit, (cheiflie be the teacheris;) sumtyme coniunctlie, be mutuall consent of

thame that bear the office and charge, efter the forme of iugement. The formar is commounlie callit *Potestas Ordinis*, and the vther *Potestas Jurisdictionis*.

8. These tua kyndis of power haue bayth ane authoritie, ane grund, and ane finall caus; bot ar different in the maner and forme of executioun, as is euident of the speiking of oure Maister in the 16 and 18 of Mathew.

9. This power and policie ecclesiasticall is different and distinct, in the awin nature, fra that power and policie quhilk is callit the ciuile power, and appertenit to the ciuile gouernament of the commoun wealth: albeit they be baith of God, and tend to ane end, gif they be rychtly vsed, to witt, to aduance the glorie of God, and to hane godlie and guid subiectis.

10. For this power ecclesiasticall flowis immediatelie frome God, and the Mediator Christ Iesus, and is spirituall, not having ane temporale head in earth, bot onlie Christ, the onlie spirituall King and Gouernour of his Kirk.

11. Thairfore this power and policie of the Kirk fould lene vpoun the Word of God immediatlíe, as the only grund thairof, and suld be tane frome the pure fontanis of the Schriptouris, heiring the woce of Christ, the onlie spirituall King, and being rewlit be his lawis.

12. It is ane tytle falsie vsurpit be Antichrist, to call himself head of the Kirk, and aucht not to be attribuitit to angell nor to man, of quhat estait foeuer he be, saiking to Christ, the head and onylie monarche in the Kirk.

13. It is proper to kings, princes, and magistratis, to be callit lordis and dominatouris ower thaire subiectis, quhom they governe ciuillie; bot it is propir to Chryst onlie to be callit Lord and Maister in the spirituall gouernament of the Kirk: and all vtheris that bearis office thairin, aucht not to vsurp dominioun thairin, nor be callit Lordis, bot onlie ministeris, discipulis, and seruandis; for it is Christis propir office to command and reull his Kirk vniuersale, and euerie particulare Kirk, throw his Spirite and Woord, be the minifre of men.

14. Nochtwithstanding, as the ministeris, and vtheris of the ecclesiasticall esteat, ar subiect to the magistrat ciuille, sua aucht the persoun of the magistrat be subiect to the Kirk spirituallie, and in ecclesiasticall gouernament.

15. And the exercise of baith these jurisdictionis can not stand in ane persoun ordinarlie.

16. The ciuile power is callit the power of the sword ; the vther is callit the power of the keyis.

17. The ciuile power shuld command the spirituall to exercife and do thair office, according to the Woord of God : The spirituall rewlaris shuld require the Christiane magiftrat to minifter iustice, and puneshe vyce, and to mantene the libertie and quietnes of the Kirk within thair boundis.

18. The magiftrat commandit externall thingis for externall peax and quietnes amangis the subiectis : The ministrie handlit externall thingis onlie for conscience caus.

19. The magiftrat handlit only externall thingis and actionis done befor men : Bott the spirituall rewlaris iuge baith inward effectionis and externall actionis, in respect of conscience, be the Woord of God.

20. The ciuile magiftrat cravis and gettis obedience be the swoord, and vther externall meanis ; bot the ministrie be the spirituall swoord, and spirituall meanis.

21. The magiftrat nather aucht to preache, minifter the sacramentis, nor execute the censouris of the Kirk, nor git preseryue ony reull whow it shuld be done ; bot command the ministeris to obserue the reull commandit in the Woord, and punesche the transgressouris be ciuile meanis. The Ministeris exerce not the ciuill iurisdiction, bot teacheis the magiftrat whow it shuld be exercisit according to the Worde.

22. The magiftrat aucht to assist, mantene, and fortifie the iurisdiction of the Kirk. The ministeris shuld assist thair princes in all thingis aggregable to the Woord ; prouyding they neglect not thair awin charge, be involving thame selfis in ciuile effearis.

23. Finalie, As ministeris ar subiect to the iugement and punishment of the magistratis in externall thingis, gif thay offend ; swa aucht the magistrattis to submit thame selfis to the discipline of the Kirk, gif thay transgres in materis of conscience and religioun.

Off the Partis of the Policie of the Kirk, and Perfonis or Office beraris to quhom the administratioun thair of is committit. CAP. II.

1. As in the ciuile policie, the haill commoune wealth consistet in thame that ar gouernouris or magiftrattis, and thame that ar gouernit or subiectis ; so, in the policie of the Kirk, sum ar appoyntit to be rewlaris, and

the rest of the membris thair of to be rewlit and obey, according to the Woord of God, and inspiratioun of his Spirite, always vnder ane head and cheif gouvernour, Jesus Christ.

2. Agane, The haill policie of the Kirk consistit in three cheif things : In doctrene, in discipline, and distributioun. With doctrene is annexit the administratioun of the sacramentis.

3. And according to the partis of this diuifioun, arryfit ane threfauld fort of officiaris in the Kirk ; to wit, of ministeris or preacheris ; of elderis or gouernouris ; of deacones or distributaris : And all these may be callit be ane generall worde, Ministeris of the Kirk.

4. For albeit the Kirk of God be rewlit and gouernit be Jesus Christ, quha is the onlie King, Hie Preist, and Head thair of ; git he vses the ministrie of men, as ane maist necessarrie myddis for this purpose.

5. For sa he hes, fra tyme to tyme, befoir the Law, vnder the Law, and in tyme of the Evangell, for our greit conforte, rafet vp men indewit with the giftis of the Spirit, for the spirituall gouernament of his Kirk, exercesing be thame his awin power, throw his Spirit and Worde, to the building of the same.

6. And to tak away all occasioun of tyranny, he will that they sould reull with mutuall consent of bretherine, and equalitie of power, euerie ane according to thair functionis.

7. In the New Testament, and tyme of the Evangell, he hes vsit the ministrie of the Apostles, Prophettis, Euangelistis, Pastouris, and Doctouris, in administratioun of the Woord ; the Eldareschip for guid ordour and administratioun of discipline ; the Deaconeschip to haue the cure of the ecclesiasticall guidis.

8. Sum of thir ecclesiasticall functionis ar ordinare, and sum extraordinare or temporall.

9. Thair be thrie extraordinarie functionis ; the office of the Apostle, of the Euangelist, and of the Propheit, quhilk ar not perpetuall, [bot serving for the first planting of the Kirk,] and haue now ceasit in the Kirk of God ; except quhen he pleased extraordinarie, for ane tyme, to steir vp sum of thame agane.

10. Thair is four ordinare functionis or offices in the Kirk of God ; the office of the Pasture, Minister, or Bischop ; the office of the Doctour ; the Presbiter or Eldar ; and the Deacon.

11. Thir offices ar ordinare, and aucht to continew perpetuallie in the

Kirk, as necessarie for the gouernament and policie of the same : and na ma offices aucht to be refaueit or be sufferit in the trew Kirk of God, establisht according to his Woord.

12. Thairfore, all the ambitious titleis invented in the Kingdome of Antichrist, and in his vsurpate Hierarchie, quhilk ar not of ane of thais four fortis, togidder with the offices dependand thairvpoun, in ane woorde, aucht to be reiectet.

How the Personis that bear Ecclesiasticall Functionis ar admittit to thair offices. CAP. III.

1. Vocation or calling is common to all that shuld beare office within the Kirk, quhilk is ane lauchfull way, be the quhilk qualescit personis is promouitit to ane spirituall office within the Kirk of God.

2. Without this lauchfull calling, it was neuer lesum to ony persoun to middle with ony function ecclesiasticall.

3. Thair ar tuo fortis of calling ; ane extraordinare, be God immediatlie, as wer the Prophetis, and Apostolis, quhilk, in Kirkis establisht, and weill alreddie reformit, hes no place.

4. The vther calling is ordinare, quhilk, besyde the calling of God, and inward testimony of guid conscience, hes the lauchfull approbation and outward iugement of men, according to Godis Woord, and ordour establisht in his Kirk.

5. Nane aucht to presume to enter in ony office ecclesiasticall, without he haue this guid testimonie of conscience befor God, quha onlie knawis the hartis of men.

6. This ordinare and outward calling hes tua partis ; election and ordination.

7. Election is the cheising out of ane persoun or personis maist able to the office that reakis, be the iugement of the eldership, and consent of the congregatioun, quhom to the persoun or personis beis appoyntit.

8. The qualeteis in generall requirit in all thame quha shuld bear charge in the Kirk, consistis in foundnes of religioun, and godlines of lyfe, according as thay are sufficientlie sett furth in the Woord.

9. In the ordour of election it is to be eschewit, that na persoun be intrusit in ony of the offices of the Kirk, contrarie the will of the congre-

gatioun to quhom thay ar appointtit, or without the voce of the elderfchip.

10. Nane aucht to be intrufit, or enterit in the places alreddie plantit, or in ony rowme that veakis not for ony warldlie refpect: And that quhilk is callit the benefice, aucht to be no thing els bot the flipend of the minifter that is lauchfullie callit and electit.

11. Ordinatioun is the feparatioun and fanctifeing of the perfoun appointit of God and his Kirk, eftir he be weill tryit and fund qualefeit.

12. The ceremonies of ordinatioun ar fafting, ernest prayer, and impofitioun of handis of the elderfchip.

13. All thir, as thay muft be rafit vp be God, and be him maid able for the wark quhairto thay ar callit; fa aucht thay to knaw thair meffage to be limitat within Goddis Word, without the boundis of the quhilk thay aucht not to pas.

14. All thir fould tak thais titleis and names onlie, (left thay be exalted and puft vp in thame felffis,) quhilk the Scriptouris gevis thame, as thais quhilk import laubour, trauell, and work, and ar names of offices and feruice; and not of ydilnes, dignitie, nor warldie honour, or preheminence, quhilk be Chryft oure Maifter is expreflie reprouit and forbiddin.

15. All thais office beraris fould haue thair awin particulare flokkis, amangis quhom thay exerce thair charge.

16. All fould mak refidence with thame, and tak the infpectioun and owrficht of thame, euerie ane in his vocation.

17. And generallie, thir twa thingis aucht thay all to refpect; the glorie of God, and edefeing of his Kirk, in difchargeing thair deweteis in thair calling.

#### Of the Office beraris in particular; and firft, of the Paftouris and Minifteris. CAP. IV.

1. Pafturis, or Bifchopis, or Minifteris, are thay quha ar appoyntit to particular congregationis and kirkis, quhilk they reull be the Woord of God, and ovr the quhilk thay wathe: In refpect quhairof, they ar fun tymes callit pafturis, becaus thay feid thair congregatioun; fun tymes epifcopi, or bifchoppis, becaus thay wathe aboue thair flok; fun tymes minifteris, be reafoun of thair feruice and office; and fun tyme prefbyterj



and seniouris, from the grauitie in maneris, quhilk thay aucht to haue in taking cair of the spirituall gouernament, quhilk aucht to be most dear vnto thame.

2. Thay that ar callit to the ministrie, or that offer thame selffis thairvnto, aucht not to be electit, without ane certane flok be assignit vnto thame.

3. Na man aucht to ingeir him selffe, or vsurpe the office, without lauchfull calling.

4. They quha ar anes callit be God, and dewlie electet be man, estir that they haue anes accepted the charge of the ministrie, may not leave thair functionis.

5. The desertouris shold be admoneished ; and, in caise of obstinacie, finalie excommunicat.

6. Na pastour may leaue his flok without licence of the Prouinciall or Nationall Assemblie ; quhilk gif he do, efter admonitioun not obeyit, lett the censuris of the Kirk strik vpoun him.

7. Vnto the Pasture appertenis teacheing of the Word of God, in seasoun and out off seasoun, publiclie and priuatlie ; alwayis traveling to edefie, and discharge his conscience, as Goddis Worde prescryuis vnto him.

8. Vnto the Pasture onlie appertenis the administratioun of the sacramentis, in lyk maner as the ministratioun of the Woord ; for baith ar ap-poyntit be God as meanes to teach ws ; the ane be the eare, the vther be the eies and vther sensis, that be baith knowledge may be transfferit to the mynd.

9. It appertenis, be the same reasoun, to the Pastoure to pray for the peple, and, namlie, for the flok committit to his charge ; and to bleifs thame in the name of the Lord, quha will not suffer the blissingis of his faythfull seruand to be frustrat.

10. He aucht also to watche aboue the maneris of his flok, that the better he may apply the doctrine to thame, in reprehending the dissolute personis, and exhorting the godlie to continew in the fear of the Lord.

11. It appertenis to the Minister, estir lauchfull proceeding be the Elderschip, to pronounce the sentence of binding and lowsing vpoun ony persoun, according to the power of the keyis grantit vnto the Kirk.

12. It belangis to him alsua, estir lauchfull proceeding in the mater be the Elderschip, to solemnizat the contract of mariage betuix thame that ar jonit thairin ; and to pronounce the blissing of the Lord vpoun thame that enter in the holic band in the fear of God.



13. And generalie, all publick denunciationis that ar to be maid in the Kirk, befor the congregatioun, concerning ecclesiasticall effearis, belang vnto the office of the Minister ; for he is as messinger and herauld betwene God and the peple, in all theis effearis.

Off Doctouris and thair office ; and of Scoles. CAP. V.

1. Ane of the tua ordinar and perpetuall functionis that trauell in the Woorde, is the office of the Doctour, quha may also be callit Prophet, Bishop, Eldar, Cathechifare, that is, teacher of the Cathechisme, and Rudimentis of religioun.

2. His office is to oppin vp the mynd of the Spirite of God within the Scriptouris, simplie, without sic applicationis as the Minister visis, to the end that the faythfull be instructed, found doctrene be teachet ; and the puretie of the Gospell not corrupted throch ignorance and euell opinionis.

3. He is different from the Pasture, not onlie in name, bott in duerfitie of giftis ; for to the Doctour is gevin the woorde of knowlege, to oppin vp, be simple teacheing, the mysteris of the fayth : To the Pastoure the gift of wifdome, to apply the same be exhortatioun to the maneris of the flok, as occasioun crauit.

4. Vnder the name and office of ane Doctour, we comprehend also the ordour of Scoles, in Colleges and Vniuersiteis, quhilk hes bene frome tyme to tyme cairfullie mantened, alsweill amangis the Jewes and Christianes as amang prophane nationis.

5. The Doctour being ane Elder, as said is, shuld assist the Pastoure in the gouernament of the Kirk, and concurre with the vther Elders, his bretherene, in all assemblies ; be reasoun the interpretatioun of the Worde, (quhilk is onlie Judge in ecclesiasticall materis,) is committed to his charge.

6. Bot to preache vnto the peple, to minister the sacramentis, and to celebrat mariages, pertenis not vnto the Doctour, onles he be vtherwise ordourlie callit : howbeit, the Pastoure may teache in the scoles, as he quha hes also the gift of knowlege, oftentimes meit thairfoir, as the exemplis of Polycarpus and vther do testefie.

## Off the Eldaris and thair office. CAP. VI.

1. The woorde Elder, in the Scriptouris, sumtyme is the name of aige, sumtyme of office.

2. Quhen it is the name of ane office, sumtyme it is takin learglie, comprehending alaweill the Pastouris and Doctouris, as thame quha ar commonlie callit Seniouris and Eldaris.

3. In this our diuifioun, we call thais Eldaris, quhom the Apostles callis Presidentis or Gouvernouris.

4. Thair office, as it is ordinarie, sua it is perpetuall, and alwayis necessare in the Kirk of God.

5. The Eldarschip is ane functioun spirituell, as is the Ministre.

6. Elderis aenis lauchfullie callit to the office, and haueing giftis of God meit to exercise the same, may not leif it agane.

7. Albeit sic ane number of Eldaris may be chosin in certane congregations, that ane part of thame may releif ane vther for ane reffonable space, as wes amangis the Leveittis vnder the Law, in serueng of the Temple.

8. The nowmber of Elderis in euerie congregatioun cannot weill be limitat, bot sould be according to the boundis and necessitie of the peple.

9. It is not necessar that all Elderis be also teachearis of the Woord, albeit cheiflie thay aucht to be sic; and sua ar worthie of double honour.

10. Quhat maner of persones thay aucht to be, we refer to the expres Word, and namely, the Canones writtin be the Apostles.

11. Thair office is, alaweill feueralie as coniunctlie, to watche diligentlie vpoun the flok committet vnto thair charge, baith publictlie and priuatlie, that no corruptioun of religioun or maneris enter thairin.

12. As the Pastouris and Doctouris sould be diligent in teacheing and fawing the seed of the Worde; so the Eldaris sould be cairfull in feiking the fruct of the same in the peple.

13. It appertenis to thame to assist the Pastours in examinatioun of thame that cum to the Lordis table, and in viseting the seik.

14. They sould be cairfull to caus the Actis off the Assembleis, alaweill particulare as prouinciall or generall, to be put to executioun.

15. They sould be diligent in admonisheing of all men of thair dewetie, according to the reull of the Euangell.

16. Thingis that thay can not correct be priue admonitioun, they sould bring to the assemble of the Elderschip.

17. Thair principall office is to hauld assembles with the Pastouris and Doctouris, (quha ar also of thair nowmer,) for establisshing of guid ordour, and executioun of discipline: Vnto the quhilk assembles all personis ar subiect, that remane within thair boundis.

### Off Eldarschippis, and Assembles, and of Discipline. CAP. VII.

1. Eldarschippis or Assembles ar constitute commounlie of Pastouris, Doctouris, and sic as commounlie we call Eldaris, that laubour not in the Woorde and Doctrene, of quhom, and of quhais feuerall power, hes bene spokin.

2. Assembles ar of four fortis: for ather ar they of particular kirkis and congregationis, ane or ma; ather of ane province; ather of ane haill nation; or of all and diuers nationis professing ane Jesus Chryft.

3. All the Ecclesiasticall Assembles haue power to conuene lauchfullie togidder, for treating of thingis concerning the Kirk, and pertening to thair chargis.

4. They haue power to apoint tymes and places to that effect; and ane Assemblie to apoint the dyet, tyme, and place for ane vther.

5. In all Assembles ane Moderatour sould be chofin, be commoun consent of the haill bretherine conuenit, quha sould propone materis, gather the voittis, and caus guid ordour be kept in the Assembles.

6. Diligence sould be tane cheiflie be the Moderatour, that onlie ecclesiasticall thingis be handlit in the Assembles; and no melling with ony thingis pertening to the Ciuile Iurisdiction.

7. Euerie Assemblie hes power to fend furth frome thair awin nowmer, ane or ma visitouris, to sie quhow all thingis be rewlit in the boundis of thair iurisdiction.

8. Vilitatioun of ma Kirkis is na ordinare office ecclesiasticall in the person of ane man; nather may the name of ane Bischope be attributtit to the visitour onlie; nather is it necessar to abyde alwyse in ane manis person: bot it is the part of the Elderschip to send out qualesit personis to viseit, *pro re nata*.

9. The finall end of all Assembles is, first, to keip the religioun and

doctrēne in puretie, without error and corruptioun; nixt, to keip cumlines and guid ordour in the Kirk.

10. For the ordouris caus, thay may mak certane rewlis and constitutonis appertening to the guid behaiour of all the membris of the Kirk, in thair vocatioun.

11. They haue power also to abrogat and aboleishe all statutis and ordinances concerning ecclesiasticall materis, that ar fund noysum or improfitable, or aggrie not with the tyme, or [ar] abusfet be the peple.

12. They haue power to execut ecclesiasticall discipline and punishment vpoun all transgressouris, and proud contempnaris of guid ordour and policie of the Kirk: and sua the haille discipline is in thair handis.

13. The first kynd and forte of Assembles, althocht thay be within particulare congregationis, zit thay exerce the power, auctoritie, and iurisdiction of the Kirk with mutuall consent, and thairfore bearis sumtyme the name of the Kirk.

14. Quhen we speik of Elderis of particulare congregationis, we meane not that euerie particulare parroche kirk can, or may haue thair awin particulare elderschip, especiall to landwart; bot we think three or four, ma or fewar, particulare kirkis may haue ane commoun elderschip to thame all, to iudge thair ecclesiasticall causes.

15. Albeit it is meit that sum of the Elderis be chosin out of euerie particulare congregatioun, to concure with the rest of thair bretherene in the commoun Asseamble, and to tak vp the dilationis of offences within thair awin kirkis, and bring thame to the Assembly.

16. This we gadder of the practife of the primitiue Kirk, quher Elderis, or Collegis of Seniouris, wer constitute in citeis and famous places.

17. The power of thir particulare Elderschippis is to gif diligent labour in the boundis committed to thair charge, that the Kirkis be keipit in guid ordour; to inquire diligentlie of nauchtie and vnrewlie personis, and travell to bring thame in the way agane, ather be admonitioun, or the thretting of Goddis jugementis, or be correctioun.

18. It pertenis to the Elderschip to tak heid, that the Worde of God be purelie preacht within thair boundis, the sacramentis richtlie ministrat, the discipline [richtlie] mentened, and the ecclesiasticall guidis vncorruptlie distribute.

19. It belangis to this kynd of Assembles, to caus the ordinances made be the Assembles, Prouincialis, Nationalis and Generalis, to be keipit and put in executioun.

20. To mak constitutionis quhilk concerne τὸ πρόπον in the Kirk, for the decent ordour of thais particulare kirks quher thay gonerne, (prouyding thay alter na reullis maid be the Generall and Prouinciall Affembleis, and that thay mak the Prouinciall Affembleis foirsene of the reulis that thay fall mak,) and to aboleishe thame tending to the hurt of the same.

21. It hes power to excommunicat the obstinat.

22. The power of electioun of thame quha bearis ecclesiasticall chargis, pertenis to this kynd of Affemblie, within thair awin boundis, being weill erectit, and constitute of mony Pastouris and Elderis of sufficient habilitie.

23. Be Elderschip is menit sic as ar constitute of Pastouris, Doctouris, and sic as now ar callit Eldaris.

24. Be the like reasoun, thair depolitioun also pertenis to this kynd of Affemblies, as of thame that teache erronews and corrupt doctrine; that be of sklanderous life, and efter admonitioun, desist not; that be gevin to scisme, or rebelloun contrare the Kirke, manyfest blasphemy, fymonie, and all corruption of brybis, falsset, periurie, huirdome, thift, drunkennes, fechtein, worthie of punishment be the law; vsurie, danling, [and sic defolutioun, crymes that import ciuile] infamie, and all vtheris that deserue separatioun frome the Kirk.

25. These also quha ar fund altogidder insufficient to execute thair charges, sould be deposit; quherof vther Kirkis wald be aduertesed, that thay ressaue not the personis deposit.

26. Albeit they aucht not to be depofed, quha, throch age, seiknes, or vther accidentis, become vnmeit to do thair office: In the quhilk cais, thair honour sould remane vnto thame, thair kirkis sould intertene thame, and vtheris aucht to be prouydet to do thair office.

27. Prouinciall Affembleis we call lauchfull conventionis of the Pastouris, Doctouris, and Elderis of the prouince, gadderit for the commoun effearis of the kirkis therof; quhilk also may be callit the Conference of kirkis and bretherine.

28. Thir Affembleis ar institute for wechtie materis, necessar to be intraittit be mutuall consent and assistance of the bretherine within the prouinces, as neid requiris.

29. This Affemblie hes power to handle, ordour, and redres all thingis omittit or done amys in the particulare assemblies.

30. It had power to depofe the office beraris of that prouince, for guid and iust caus deseruing deprivation.

31. And generalie, thir Affemblies haue the hail power of the particulare elderschipis quhairof thay are collected.

32. The Nationall Affemblie, (quhilk is Generall to ws,) is ane lauchfull Conuentionoun of the Kirkis of the hail realme or natioun, quher it is vsit and gadderit, for the commoun effearis of the Kirk ; and may be callit the Generall Elderschip of the hail Kirk within the realme.

33. Nane ar subiect to repair to this Affemblie to voitt, bot ecclesiasticall perfonis, to sic ane nowmer as salbe thocht guid be the same Affemblie ; not excluding vther perfonis that will repair to the said Affemblie, to propone, heir, and reafoun.

34. This Affemblie is institute, that all thingis ather omitted, or done amys in the Prouinciall Affemblies, may be redrest and handlit ; and thingis generalie seruing for the weill of the hail bodie of the Kirk in the realme, may be foisene, intreated, and sett furth to Goddis glorie.

35. It sould tak cair, that kirkis be planted in places quhair thay are nocht planted.

36. It sould preseryue the reull, qubow the vther tua kynd of Affemblies sould proceed in all thingis.

37. This Affemblie sould tak heid, that the Spirituall iurisdiction and Ciuile be not confoundit, to the hurt of the Kirk.

38. That the Patrimonie of the Kirk be nocht diminished nor abused.

39. And generallie, concerning all veychtie effearis that concerne the weill and guid ordour of the hail Kirk of the realme, it aucht to interpone auctoritie thairto.

40. Thair is befidis this, ane vther mair generall kynd of Affemblie, quhilk is of all nationis, or of all estaittis of perfonis within the Kirk, representing the Vniuersall Kirk of Chryst, quhilk may be callit propirlye the Generall Affemblie, or Generall Counsale of the hail Kirk of God.

41. Thais Assembleis wer appoyntit and callit togidder speciallie, quhen ony greit sisme or controuersie in doctrene did arys in the Kirk ; and wer conuocat at command of the godlie Emperouris being for the tyme, for the auoding of sismeis within the Vniuersale Kirk [of God ;] of quhilkis, becaus thay perteine not to the particulare estait of ane realme, we seis forder to speik.



Of the Deaconis and thair Office, the last ordinarie Functioun in the Kirk. CAP. VIII.

1. The word *Διάκονος* fumtymes is leargelie takin, comprehending all thame that bear office in the minifterie and spirituall functioun of the Kirk.

2. But now, as we speik, it is tane onlie for thame, to quhom the collection and distribution of the almous of the faithfull, and ecclesiasticall guidis dois apperteine.

3. The office of the Deacones sa takin, is ane ordinarie and perpetuall ecclesiasticall functioun in the Kirk of Chryft.

4. Off quhat propirteis and dewteis he aucht to be, that is callit to this functioun, we remitt to the manifest Scriptouris.

5. The Deacones aucht to be callit and electit, as the rest of the spirituall officiaris; of the quhilk electioun wes spokin befor.

6. Thair office and power is to ressaue and distribute the hail ecclesiasticall guidis vnto thame to quhom thay ar appoyntit.

7. This they aucht to do according to the judgement and appoyntment of the Presbyteries or Elderschippis, (of the quhilk the Deacones are not,) that the Patrimony of the Kirk and pure, be not conuerted in preuatt menis vse, nor wrangoullie distribuitit.

Of the Patrimonie of the Kirk, and Distribution thair of. CAP. IX.

1. Be the Patrimonie of the Kirk, we mene quhatfumeuer thing had bene at any tyme befor, or falbe in tyme cuming gevin, or be consent and vniuersale custume of cuntreis professing the Christiane religioun, applyit to the publick vse and vtilitie of the Kirk.

2. Swa that vnder this patrimonie we comprehend, first, all thingis gevin, or to be gevin to the Kirk and seruice of God, as landis, biggingis, possessionis, annual rentis, and all siclike, quhairwith the Kirk is doittit, ather be donationis, fundationis, mortificationis, or ony vther lauchfull title, of kingis, princes, or ony personis inferiour to thame, togidder with the continuall oblationis of the faithfull.

3. We comprehend also all sic thingis, as be lawis and custume, and vse

of cuntries, hes bene applyit to the vse and vtilitie of the Kirk ; of quihilk fort are the teyndis, manfes, glebis, and siclike, quihilk, be commoun or municipall lawis and vniuerfall custume, ar possessed be the Kirk.

4. To tak onie of this Patrimonie be onlauchfull meanis, and conuert it to the particulare and prophane vse of ony persoun, we hauld it ane detestable sacralage befor God.

5. The guidis ecclesiasticall aucht to be collectit and distributit be the Deacones, as the Woord of God appointis, that thay quha beris office in the Kirk be prouydit for, without cair and folicitude.

6. In the Apostolicall Kirk, the Deacones wer appontit to collect and distribut quhatsumeuier thingis wer collectit of the faithfull to be distribute vnto the necessitie of the sanctis, sa that nane inlaikit amangis the faithfull.

7. Theafe collectionis war not onlie of that quihilk wes collectit in maner of almous, (as sum supponis,) bot of vther guidis mouable and vnmouable, of landis and possessionis, the pryce quhairof wes brocht to the feit of the Apofllis.

8. This office continuit in the Deaconis handis, quha intronettit with the hail guidis of the Kirk, ay quhill the estaite thairof wes corruptit be Antichryft, as the ancient Canones beiris witnes.

9. The same Canones mak mentioun of ane fourfauld distributioun of the patrimony of the Kirk, quhairof ane part wes applyit to the pastouris or bischoppis for thair sustentatioun and hospitalitie ; ane vther to the eldaris and deaconis, and all the clergie ; the thrid to the pure, seik personis, and strangeris ; the ferd to the vphauld and vther effearis of the Kirk, especiall extraordinare : We adde heirto the scoles and scolemasteris also, quihilk aucht and may be weil sustentit of the same guidis, and ar comprehendit vnder the cleargie ; to quhom we jone also Clerkis of Assemblies, alsweill particulare as generall, Syndikis or Procuratouris of Kirkis effearis, Takaris vp of the psalmes, with siclike vther ordinaire offices of the Kirk, sa far as they ar necessar.

#### Of the Office of ane Christiane Magisfrat in the Kirk. CAP. X.

1. Althocht all the memberis of the Kirk be hauldin, euerie ane of thair vocation, and according thairto, to aduance the Kingdome of Iesus Christ,



fa far as lȳis in thair power ; ȳit cheiflie and namelie, Chriſtiane princes, kingis, and vtheris magiſtratis, ar hauldin to do the ſame.

2. For thay ar callit in the Scriptouris, Nureſſaris of the Kirk, forſamekle as be thame it is, or at leaſt aucht to be mantened, foſſerit, vp-hauldin, and defendit aganis all that wald procure the hurte thair of.

3. So it pertenis to the office of ane Chriſtiane magiſtrat to aſſiſt and forteſie the godlie proceeding of the Kirk in all behalfis ; and, namelie, to ſie that the publiſt eſtait and miniſtrie thair of be mantenit and ſuſtenit as it apertenis, according to Goddis Worde.

4. To ſie that the Kirk be not invadit nor hurt be fals teacheris or hȳrlingis, nor the rowmes thair of occupiit be dum doggis or iddill bellies.

5. To aſſiſt and mantene the diſcipline of the Kirk, and puniſhe thame ciuillie that will not obey the cenſure of the ſame, without confunding alȳwis of the ane iuriſdictioun with the vther.

6. To ſee that ſufficient prouiſioun be maid for the miniſtrie, ſcoles, and the pure ; and ȳif thay haue noch ſufficient to await vpoun thair charges, to ſupplie thair indigence, evin with thair awin rentis, ȳif neid requiris : To hauld hand to thame alſweill concerning thair awin perſonis, ſaiſing thame from iniurie and oppin violence, as concerning thair rentis and poſſeſſionis, that thay be not defraudit, revit, nor ſpoilȳet thair of.

7. No to ſuffer the patrimony of the Kirk to be applyit to prophane and vnlauchfull vſes, or to be devoirit be idle bellies, and ſic as haue na lauchfull functioun in the Kirk, to the hurt of the miniſtrie, the ſcoles, the pure, and vther godlie vſes, quhairvpoun the ſame aucht to be beſtowed.

8. To mak lawis and conſtitutionis agreeable to Goddis Woorde, for the advancement of the Kirk, and polecie thair of, without vſurping any thing that pertenis not to the ciuile ſworde, bot belangis to the offices that are mere eccleſiaſticall ; as is the miniſtrie of the Woorde and Sacramentis ; vſing of eccleſiaſticall diſcipline and the ſpirituall executioun thair of, or ony parte of the power of the ſpirituall keyis, quhilk our Maſter gair to his Apoſtliſ and thair trew ſuccellouris.

9. And althocht kingis and princes that be godlie, ſumtȳmis be thair awin auctoritie, (quhen the Kirk is corrupt, and all thingis out of ordour,) place miniſteris, and reſtoir the trew ſervice of the Lord, eftir the exemple of ſum godlie kingis in Judea, [the quhilk they did be direction of Prophets,] and diuers godlie Emperouris and Kingis alſo, in the licht of the New Teſtament ; ȳit quhair the miniſtrie of the Kirk is anes lauchfullie

institute, and thay that ar placed do thair office faithfullie, all godlie princes and magistrattis aucht to heir and obey thair voce, and reuerence the Maiestie of the Sone of God speiking be thame.

Off the present Abuses remaning in the Kirk, quhilk we desire to be reformat. CAP. XI.

1. As it is the deutie of the godlie magistrat to mantene the present libertie, quhilk God, of his mercie, hes grantit to the preaching of his Worde, and the trew ministratioun of the Sacramentis within this realme ; sa it is to provyid, that all abusēs as git remane in the Kirk, fould be removit and vtterlie takin away.

2. Thairfore, first, the admissioun of men to papistcally titles of benefices, sic as feruis not, nor hes na functioun in the reformat Kirk of Chryst, as Abbattis, Comendaturis, Priouris, Priorellis, and vther titleis of Abbayis, quhais places are now, for the maist parte, be the iust iudgement of God, demolished and purgit of idolatrie, is plane abusioun, and is not to ressaue the Kingdome of Chryst amongis ws, bot rather to refuse it.

3. Off the lyke nature ar the Deannes, Archdeanes, Chanteris, Subchanteris, Thesauraris, Chancellaris, and vtheris haueing the lyke titleis flowit from the Paip and Canoun Law onlie, quha haue na place in the reformat Kirk.

4. Sicklike, thay that wer callet of auld the Chapteris and Conuentis of Abbayis, Cathedrall Kirkis, and like places, feruis for na thing now bot to sett fewis and tackis, (gif ony thing be left,) of Kirk landis and teyndis, in hurt and preiudice thair of, as daylie experience teacheth, and thairfore aucht to be allutterlie abrogat and abolisset.

5. The Kirkis also quhilk ar vnitit and jonit togidder be annexatioun to thir benefices, aucht to be seperated and diuidit, and gevin to qualesit ministeris, as Goddis Word cravis.

6. Nather aucht sic abusfearis of the patrimony of the Kirk of Chryst to haue voit in Parliament, nor sit in Counsaile vnder the name of the Kirk and Kirkmen, to the hurt and preiudice of the libertie thair of, and lawis of the realme maid in fauouris of the Reformat Kirk.

7. Mekle les is it lauchfull, that ane persoun amongis these men fould haue fyue, sex, ten, twentie, or ma Kirkis, all haueing the charge of

faulis, and bruke the patrimony thairof, ather be admissioun of the Prince, or of the Kirk, in this licht of the Euangell; for it is bott mockage to craue reformatioun quher siclike lies place.

8. And albeit it wes thocht guid for avoiding greittare inconuenientis, that the auld possellouris of sic benefices quha imbrassit the religioun, fould enjoy be permissioun the tua partis of the rentis quhilk thay posselt of befoir, during thair listymes; zit it is not tollerable to continew in the like abuse, and gif these places and vtheris benefices of new to als vnmeit men, or rather vnmeittar, quha ar not myndit to serue in the Kirk, bot leid and leue ane idle life, as the vtheris did quha broukit thame in tyme of blindnes.

9. And in sa far as in the ordour tane at Leith, in the zeir of our Lord 1570 fevintie ane zeir, it appeiris that sic may be admittit, being fund qualesit, &c.; ather that pretendit ordour is aganis all guid ordour, or ellis it must be vnderstandit not of thame that be qualesit to warldlie effearis to serue in Court, bot sic as ar qualesit to teache Goddis Woorde, haifand thair lauchfull admissioun of the Kirk.

10. As to Bischoppis, gif the name *ἐπίσκοπος* be propirly takin, they ar all ane with Ministeris, (as wes befoir declairit;) for it is not the name of superioritie and lordschip, bot of office and watcheing.

11. Zit becaus in the corruptioun of the Kirk, this name, as vtheris, hes bene abused, and zit is like to be, we can not allow the failloun of thais new chofin Bischoppis, natlier of the Chapteris that are the electouris of thame to sic office as they ar chofin.

12. Trew Bischoppis fould addiēt thame selffis to ane particulare flok, (quhilk findrie of thame refusis;) nather fould thay vsurp lordschip ovr thair bretherine, and ovr the inheritance of Christ, as these men do.

13. Pasturis, in sa fare as thay ar pasturis, hes not the office of visitioun of ma kirkis jonit to the pastureschip, without it be gevin to thame.

14. It is ane corruptioun, that Bischoppis fould haue forder boundis to veseit, nor thay may lauchfullie.

15. Na man aucht to haue the office of visitatioun, bot he that is lauchfullie chofin be the Presbyterie thairto.

16. The Elderschip being weil establihed, hes power to send out visitouris, ane or ma, with commissioun to veseit the boundis within thair Elderschip; and siclike, eftir compt tane of them, ather to continew

thame, or remove thame from tyme to tyme; to the quhilkis Elderschipis thay falbe alwayes subiect.

17. The criminall iurisdiction jonit in the persoun of ane Pasture, is ane corruption.

18. It aggreit not with the Woorde, that Bischoppis shuld be pasturis of pasturis, pasturis of mony flockis, and git without ane certane flock, and without ordinarie techeing.

19. It aggreit not with the Scriptouris, that thay shuld be exemit fra correction of thair bretherine, and discipline of the particulare Elderschip of the Kirk quher thay shuld serue; nather that thay shuld vsurp the office of visitation of vther kirkis, nor ony vther function beside vther ministeris, bot so far as beis committit to thame be the Kirk.

20. Heirfore, we desyre the Bischoppis that now ar, ather to aggrie with that ordoure that Goddis Worde requiris thame, and as the Generall Kirk will prescribe vnto thame, not passing that boundis, nather in ecclesiasticall nor ciuile effectis, or ellis to be deposit from all function in the Kirk.

21. We deny not, in the meane tyme, bot ministeris may and shuld assist thair Princes, quhen thay ar requirit, in all thingis agreeable to the Woorde, quidder it be in Counfall, or Parliament, or vtherwise; providing alwayis thay nather neglect thair awin chargis, nor, throch flatterie of Princes, hurt the publick estate of the Kirk.

22. Bot, generalie, we say, na personis, vnder quhatsumeuir title of the Kirk, and speciallie the abused titles in Papistrie, of Prelattis, Conuentis, and Chapteris, aucht to attempt ony act in the Kirkis name, ather in Counfall, Parliament, or out of Counfall, haueing na commillion of the reformat Kirk within this realme.

23. And be Act of Parliament it is prouydit, that the Papistickall Kirk and Jurisdiction shuld haue na place within the same, and na bischop nor vther prelate, in tymes cuming, shuld vse ony iurisdiction flowing frome his auctoritie.

24. And agane, that na vther ecclesiasticall jurisdiction shuld be acknowlegit within this realme, bot that quhilk is and falbe within the reformat Kirk, and flowing therfra.

25. So we esteeme balding of Chapteris in Papistickall maner, ather in Cathedrall kirkis, Abbayis, Collegetis, or vther conuentuall places, vsurping the name and authoritie of the Kirk, to hurt the patrimony thair of, or

vse ony vther aēt to the preiudice of the same, sen the zeir of our Lord 1560 zeiris, to be abufioun and corruptioun, contrare to the libertie of the trew Kirk, and lawis of the realme; and thairfore aucht to be annullat, reduct, and in tymes cuming vtterlie dischargit.

26. The dependences also of this Papistickall iurisdiction are to be abolished, of the quhilk fort is the mingled iurisdiction of the Commissaris, in sa far as they mell with ecclesiasticall materis, and haue no commissioun of the Kirk therto, bot war erectit in tyme of our Soueranes moder, quhen thingis wer out of ordour. It is ane absurde thing, that findrie of thame haueing na functioun in the Kirk, sould be iugeis to miniferis, and depose thame fra thair rowmes: Thairfore, ather thay wald be dischargit to meddle with ecclesiasticall materis, or it wald be limitat to thame in quhat materis thay mycht be iugeis, and not hurt the libertie of the Kirk.

27. They also that of befor wer of the ecclesiasticall esteat in the Papis Kirk, or that ar admittit of new to Papistickall titles, and now ar tollerat be the lawis of the realme, to possesse the tua part of thair ecclesiasticall rentis, aucht not to haue ony forder libertie, bot to intromet with the portioun assignit and grantit to thame for thair listyme; and nocht vnder the abuset titillis quhilkis thay had, to dispone the Kirk rentis, sett takkis and fewis thair of at thair plesour, to the greit hurt of the Kirk, and pure labouraris that dwell vpon the Kirk landis, contrarie to all guid conscience and ordoure.

Certane speciall Headis of Reformatioun quhilk we crave. CAP. XII.

1. Quhatfoeuer haue bene spokin of the offices of the Kirk, the seuerrall power of the office beraris, thair coniunct power also, and last, of the patrimony of the Kirk, we vnderstand it to be the richt reformatioun quhilk God cravis at our handis, that the Kirk be ordourit according thairto, as with that ordour quhilk is maist aggreable to the Word of God.

2. Bott becaus sum thingis will be twiched in particulare, concerning the esteat of the cuntrie, and that quhilk we principallie seik to be reformat in the same, we haue collectit thame in thir headis following.

3. First, Seing the haille cuntrie is diuidit in prouinces, and thir prouinces agane ar diuidit in parrochis, alsveill in landward as in townis; in everie paroche of reasonable congregationis, ther wald be placeit ane or

ma pasturis to seid the flock; and na pasture or minister aucht to be burdenit with the particulare charge of ma flokkis or kirkis then ane allanerlie.

4. And becaus it wilbe thocht hard to find out pasturis or ministeris to all the parroche kirkis of the realme, alsweill in landwart as in townis, we think, be the aduys of sic as commissioun may be gevin to, be the Kirk and the Prince, parrochis in landward or small villagis may be jonit tua or thrie, or ma in sum places togidder; and the principall and maist commodious kirkis to stand, and to be repairit sufficientlie, and qualesit ministers placet thairat; and the vther kirkis, quhilk ar nocht fund necessar, may be sufferit to decay, thair kirk gardis alwayis being keipit for buriall places: and in sum places, quhair neid requiris, ane parrochin, quher the congregatioun is owr gret for ane kirk, may be deuydit in tua or ma.

5. Doctoris wald be appoynted in Vniuersiteis, Collegis, and vther places neidfull, and sufficientlie prouyded, for to oppin vp the meaning of the Scriptouris, and to haue the charge of scoles, and teache the rudimentis of religioun.

6. As to Elderis, thair wald be sum to be censuris of the maneris of the peple, ane or ma in euerie congregatioun; bot not ane assemblie of elderis in euerie particulare kirk, bot onlie in the townis and famous places, quhair reforte of men of iugement and habilitie to that office, may be had;

7. Quhare the Eldaris of particulare kirkis about may convene togidder, and haue ane commoun Elderfchip and Assemblie place amangis them, to treat of all thingis that concerne the congregatioun of quhom thay haue the owrsicht.

8. And as thair aucht to be men appoyntit to vnite and deuide the parrochis, as necessitie and commodetie requiris; sa wald thair be appoyntit be the Generall Kirk, with the assent of the Prince, sic men as feareth God, and knew the estaitt of the countreis, that wer able to nominat and designe places, quher the Assemblies of particulare elderfchippis suld convene, to tak consideratioun of the Diocesis as they wer diuidet of auld, and of the estaitt of the cuntreis and prouinces of the realme.

9. Likewyse as concerning Prouinciall and Synodall Assemblies, consideratioun wer easie to be had, how mony and in quhat places thay wer to be hauldin; and how often thay shuld convene, aucht to be referrit vnto the libertie of the Generall Kirk, and ordour to be appoyntit thairin.

10. The Nationall Assemblies of this cuntre, callit commounlie the Generall Assemblies, aucht alwayis to be retenit in thair awin libertie, and



haue thair awin place, with power to the Kirk to appoynt tymes and places convenient thairfoir.

11. And all men, alsweill magistratis as inferiouris, to be subiect to the iudgement of the same in ecclesiasticall caussis, without ony reclamatioun or appellatioun to ouie Judge, ciuile or ecclesiasticall, within the realme.

12. The libertie of electioun of personis callit to ecclesiasticall functionis, and obserued without interruptit continewance sa lang as the Kirk wes not corruptit be Antichryst, we desyre to be restorit and retenit within this realme :

13. So that nane be intrused vpoun ony congregatioun, ather be Prince or ony vther inferiour person, without lauchfull electioun and the assent of the peple ovr quhom the person is placet, as the praecteis of the Apostoll call primitiue Kirk and guid ordour cravis.

14. And becaus this ordour, quhilk Goddis Woord cravis, can not stand with patronageis and presentationis to benefices, vnto in the Papes Kirk, we desire all thame that trewlie seiris God, ernistlie to consider, That forallemkleast the names of patronageis and benefices, togidder with the effect thair-of, ar flowand frome the Pape, and corruptioun of the Canone Law onlie, in sa far as thairby ony person wes intrused and placet ovr kirkis haueing curam animarum : And forsamekle as that maner of proceeding hes na grund in the Woorde of God, but is contrare to the same, and to the said libertie of electioun, they aucht not now to haue place in this licht of Reformatioun : and thairfoir, quhasoeuer will treulie imbrace Goddis Woord, and desire the Kingdome of his Sone Iesus Christ to be aduancit, they will also embrace and refaue that policie and ordour quhilk the Woord of God, and vpricht staite of his Kirk craves ; vtherwise it is in vane that thay sould haue professed the samin. Nochtwithstanding, as concerning vther patronageis of benefices, that haue not curam animarum, (as thay speik,) sic as ar chaplenreis, prebendareis fundit vpoun temporall landis, annuellis, and siclike, may be referuit vnto the ancient patronis to dispone thair-upoun, quhen they veak, to scolaris and bursaris, as thay ar requirit be the Act of Parliament.

15. As to the Kirk rentis in generall, we desire the ordoure to be admittit and mantenit amangis ws, that may stand with sinceritie of Goddis Woorde, and praecteis of the puretie of the Kirk of Christ.

16. To wit, that as wes befor spokin, the hail rent and patrimony of the Kirk, (excepting the small patronages befor mentionat,) may be

diuidit in four partis or portionis : Ane thairof to be assignit to the Pastour for his intertenement and for hospitalitie ; ane vther to the Eldaris, Deacones, and vtheris officiaris of the Kirk, sic as Clerkis of Assemblies, Takaris vp of the Psalmes, Beddales, and keiparis of the kirkis, sa far as thay ar neccessar ; joyning thairwith also the Doctouris and Scoles, to help the ancient fundationis quhair neid requireth ; the thrid portioun to be bestowed vnto the puir membris of the faithfull, and hospitallis ; the fourt, for reparatioun of the kirkis, and vther extraordinare charges as ar profitable for the Kirk, and also for the commoun velth, gif neid require.

17. We desire, thairfore, the ecclesiasticall guidis to be vpliftit and distributtit faithfullie to quhom they appertene, and that be the ministrie of Deacones, to quhais office propirlye the collectioun and distributioun thair of belangis ; that the pure may be answierit of thair portioun thair of ; and thay of the ministrie leue without cair and sollicitude ; as also the rest of the thesaurarie of the Kirk may be referuit and bestowit to the richt vses.

18. Gif thais Deacones be electit with sic qualeteis as Goddis Woorde cravis to be in thame, thair is no fear that thay fall abuse thame selffis in thair office, as the prophane collectouris did of befor.

19. Git becaus this vocation apperis to mony to be dangerous, let thame be obligit, (as thay war of auld,) to ane geirlye compt to the Pastouris and Elderschip ; and gif the Kirk and Prince think expedient, lett cautioneris be oblet for thair fidelitie, that the Kirk rentis on nawyse be delapidat.

20. And to the effect this ordour may tak place, it is to be prouydit, that all vtheris intromettouris with the Kirkis rentis, collectouris generall or speciall, quhither it may be by appointment of the Prince, or vtherwise, be denudit of forder intromissioun thair of ; and suffer the Kirk rentis, in tymes cuming, to be hallelie intromettit with be the minstre of the Deacones, and distributit to the vses afor mentionat.

21. And also, to the effect that the ecclesiasticall rentis may suffice to thair vses for the quhilkis thay ar to be appointit, we think it neccessar to be desyrit, that all alienationis, setting of fewis or takkis of the rentis of the Kirk, alswell landis as teyndis, in hurt and diminutioun of the auld rentallis, be reducit and annulat, and the patrimonie of the Kirk restorit to the formare and auld libertie.

22. And likewyse, that, in tymes cuming, the teyndis be sett to nane



bot to the laubouraris of the grund, or ellis nocht fett at all, as it wes aggreit vpoun, and subseriuit be the Nobilitie befoir.

The Vtilitie that fall flow of this Reformatioun to all Estaittis. CAP. XIII.

1. Seing the end of this spirituall gouernament and polecie, quhair of we spak, is that God may be glorefeit, the Kingdome of Iesus Chryst aduancit, and all they quha ar of his mysticall bodie, may leue paciable in conscience: thairfore we dar bauldlie affirme, that all they quha haue trew respect to thais endis, will, evin for conscience caus, glaidlie aggrie and conforme thame selffis to this ordour, and aduance the same, so fare as lyis in thame; that thair conscience being fett at rest, they may be replenished with spirituall gladnes, in geving full obedience to that quhilk Goddis Woord, and the testimony of their awin conscience dois craue; and refusing all corruptioun contrare vnto the same.

2. Nixt, We fall becum ane exemple and patrone of guid and godlie ordour to vther nationis, cuntries, and Kirkis professing the same religion with ws; that as they haue glorefeit God in our continewing in the sinceritie of the Word heitherto, without all erroris, (prays be to His name;) fa they may haue the like occasioun in our conuersatioun, quhen as we conforme oure selffis to that discipline, polecie, and guid ordour, quhilk the same Woord, and puritie of Reformatioun cravis at our handis: Vtherwyse the fearfull sentence may be iustlie said to ws, The seruand knawand the will of the Maister, and not doing it, [salbe beatin with manie whippis.]

3. Mairowre, gif we haue ony pitie or respect to the pure membris of Chryst, quha sa greitlie increas and multiplie amangis ws, we will not suffer thame to be langer defraudit of that parte of the patrimony of the Kirk, quhilk iustlie belangeth vnto thame: And be this ordour, gif it be deulie put in executioun, the burding of thame salbe takin of ws, to our greit confort; the freittis salbe clanged of the cryingis and murmuringis of thame; as we salbe na mair a sklander to vther nationis, as we haue heitherto bene, for not taking ordour with the pure amangis ws, and causing the Woord quhilk we profes to be euell spokin of, geveing occasioun of selander to the enemeis, and offending the conscience of the simple and godlie.

4. Befidis this, it falbe a greit ease and commoditie to the hail commoun peple, and releving thame of the beilding and vphaulding of thair kirkis, in bigging of briggis and vther like publi&t warkis; to the lauboraris of the grund, in the payment of thair teyndis; and schorthlie in all theis thingis, quhairvnto thay haue bene heitherto rigorousslie handlit be thame that war fallie callit Kirk men, thair takkismen, factouris, [chamerlanes] and extortioneris.

5. Finallie, To the Kingis Majestie and commoun welth of the cuntrie, this profit fall redound, that the vther effairis of the Kirk being sufficientlie prouydit according to the distributioun, of the quibilk hes bene fpokin, the superplus being collectit into the thesaurarie of the Kirk, may be profitablie imployit, and liberallie bestowit vpoun the extraordinare support of the effearis of the Prince and commoun welth; and speciallie of that part quibilk is appointit for reparatioun of the kirkis.

6. Sa to conclude, all being willing to apply thame selfis to this ordour, the peple suffering thame selfis to be reulit according thairunto, (the Princes and Magistratis thame selfis not being exemit,) and thay that ar placit in ecclesiasticall estait rychtlie rewling and gouerning; God salbe glorefeit, the Kirk edifeit, the boundis thairof enlargit; Chryst Jesus and his Kingdome sett vp; Sathane and his kingdome subuertit; and God fall dwell in the middis of ws, to our confort, throw Jesus Chryst, quha, togidder with the Fader, and the Halie Ghais, abydeith blissit in all eternitie. Amen.

#### ENDIS THE BOOKE OF DISCIPLINE.

Anent the Confessioun of Faith latlie sett foorth be the Kings Majesties proclamatioun, and subscryvit be his Hienes: The Kirk, in ane voyce, acknowledgis the said Confessioun to be ane true and Christian Confessioun, to be aggreit vnto be such as truelie professis Chryst and his true religioun; and the tenour thairof to be followed out, as the samein is laid out in the said proclamatioun.

[Anent the delationes given in against some of the Ministrie, to the effect the Kirk may be purged of the slanderous members thereof: The Assëmblie have given power and commissioun to their loved brethren, Mr

Andrew Hay, Mr Robert Pont, Mr David Lindsey, Mr Adam Johnstone, John Dourie, John Johnstone, Mr John Davidson, Mr John Craig, John Duncanstone and John Brand, or to the most part of their number, to summond the persons accused before them, and to take tryal and inquisitione of the hainous and slanderous accusationes layed against them, and what they find be procefs of trial, to report to the next Assemblie, that order may be taken with them as accordeth, for purging of the Kirk of God. C.]

[Anent the printing of the method of preaching and prophesieing set out be \_\_\_\_\_ and shewed and read in the Assemblie: The Assemblie hath thought meet, that the samine may be committed to irons and printed, as necessary for the forme of teaching, and to be put in Scots be their brother, Mr Thomas Smetone. C. & B.]

Forfameikle as Abbots, Commendatours, Pryours, Pryorellis, and Bischops, provydit of auld vnder the name of Ecclesiasticall [persons,] bruiks the rents and revenews of the Kirk, without exerceing any spiritual function therin, or recognoscing the true Kirk, devoreing the patrimonie of the same, and daylie diminisching the rents of thair benefices: The Kirk and Assemblie present hes determined and resolved, That all such persons befor named salbe cited be the Presbyteries, to compeir befor the next Generall Assemblie of the Kirk, to submitt themselves therto, as they will ansuer to the Kirk.

Anent Reidars: Forfameikle as in Assemblies preceeding, the office therof was concludit to be no ordinar office in the Kirk of God, and the admillion of them suspenderit to the present Assemblie: The Kirk, in ane voyce, hes votit and concludit farder, That in no tyme comeing any Reider be admittit to the office of Reidar, be any having power within the Kirk.

Ordaines the Commissioners of Countreyes to give in the names at afternoone, of the persons they think meitt to the vnioun and divisoun of the Kirks.

[The Assemblie giveth full power and commissione to their loved brethren, Mr Robert Pont, Mr James Lawson, Mr David Lindsay, Mr John Craig, John Duncanstone, Mr Adam Johnstone, John Brand, John Durie, Mr Walter Balcanquill, to consider and advise upon the Articles and Petitions given in be the Kings Majesties Commissioner, in so far as yet are unresolved in full Assemblie; rply to consult thereupon be the

judgment and light of the best learned they can have, and to conceive a formal answer thereto in write, to be presented be them to the next Generall Assemblie, to the effect the Kings Majestie and Counsell may receive and direct solid answer thereto; as likewise to conferr, reason, and communicat upon such Articles, with such as pleaseth the King and his Counsell to depute thereto, if need be; and, farther, to intimat to his Hienes, how far the Assemblie had proceeded concerning the answer unto his Hienes Articles, and whereupon the Assemblie standeth, that his Hienes may understand their willing concurrence with his Majesties good intentione, in establishing good Policie within the Kirk: The special informatione to be given to his Hienes and Counsell to be this, That the Assemblie praiseth God greatly for his Majesties zealous and christian affectione for promoting of good order within his Kirk, with thanks to his Hienes for the labors which had been taken for constitution of Presbyteries, union and divisione of Kirks, which the Assemblie had so far travelled, that certain Presbyteries are be them erected, some platts of Kirks received, although not absolutely ended, the names also of the persons the brethren think fit to unite and divide the Kirks in a part received, as shortnes of time and presence of the Commissioners would permit. C.]

Certain appointed to forme the Articles agreed on in Conference.

The advice of the Kirk concerning the direction of Presentationes, that they be directit to the Presbyteries.

[Herewith] to crave of his Hienes, for performance of the wark intended, that Prelacies be dissolvit.

#### Sessio 10<sup>a</sup>.

Anent the place of repentance to be appointit to Captaine Anstruther, for his fearefull defection from the true religion in the parts of France: The haynousnes and gravitie of his defection beeing weil weyt and considered, quhilk requyrit folemne and notorious repentance, The Kirk hes thocht meitt, and be voting concludit, that his repentance be made in the citie of Sanct Androes, after the forme of discipline sett out against apostates.

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[Ane thort and general Confessione of the true Christiaine Fayth and Religione, according to Godis Vorde, and Actis of our Parlament, subscryued by the Kingis Maiestie and his Houshold, with findrie otheris, to the glorie of God, and good example of all men att Edinburgh, the 28 day of Januare 1580, and 14 yeare of his Maiesties reigne.\*

We all, and ewerie one of ws wndervritten, protest, that after long and dew examination of owre Consciences in matteris of true and false religioun, are now throchly resolued in the trueth, by the Worde and Sprit of God: And therefore we beleue with owre heartis, confesse with owre moutthes, subscrywe with owre handis, and constantly affirme before God and the whole world, That this onely is the true Christiaine Fayth and Religion, pleasing God and bringing saluation to man, quhilk is now, by the mercy of God, reweled to the world by the preaching of the blessed Ewangell; and is receaued, beleued, and defended by manie and findrie notable Kyrkis and realmes; but chiefly by the Kyrk of Scotland, the Kingis Maiestie, and three Estatis of this Realme, as Godis eternall trueth and onely ground of our Saluation, as more particularly is exprest in the Confession of owre Fayth, stablished and publictly confirmed by findrie Actis of Parliamentis, and now of a long tyme hath bene openly professed by the Kingis Maiestie, and whole body of this Realme both in brught and land: To the quhilk Confession and Forme of Religion we willingly agree in owre conscience in all poyntis, as wnto Godis wndoubted trueth and weritie, grounded onely wpon his written Worde: And therefore we

\* Printed from the original in the Advocates Library, endorsed—"Covenant subscribed be King James of worthie memorie and his houshold, 28 Jan. 1580. Sent from Somer in France be Monsieur . . . to my Lord Scottistarvett in Aug. 1641."

abhorre and detest all contrarie religion and doctrine ; but cheifly all kynd of papistris in generall, and particular headis, ewen as they are now damned and confuted by the Worde of God, and Kirk of Scotland : But in specale we detest and refuse the usurped authoritie of that Romane Antichrist wpon the Scriptures of God, wpon the Kirk, the Ciwill Magistrate, and conscience of men ; all his tyrannous lawes made wpon indifferent thinges agaynst owre Christiane libertie ; his erroneous doctrine agaynst the sufficiency of His written Worde, the perfection of the Lawe, the office of Christ and his blessed Ewangell ; his corrupted doctrine concernyng originall synne, owre naturall inability and rebellion to godlines, owre justification by fayth onely, owre imperfect sanctification and obedience to the Law ; the nature, number, and use of the holie Sacramentis ; his fyve bastard Sacramentis, with all his ritis, ceremoneis and false doctrine, added to the ministracion of the true Sacramentis without the Worde of God ; his cruell judgement agaynst infantis deperting without the Sacrament ; his absolute necessitie of baptisme ; his blasphemous opinion of transubstantiation, or reall presence of Christs body in the Elements, and receaving of the same by the wicked, or bodeis of men ; his dispensacioneis with solemnes othes, periuries, and degreis of mariage forbidden in the Worde ; his crueltie agaynst the innocent denorced ; his diuylishe Mes ; his blasphemous priesthood ; his prophane sacrifice for the synnes of the dead and the quyk ; his canonization of men, calling wpon angelis and sainctis deperted ; worshiping of imagrie, reliques and croces ; dedicating of kyrkis, altaris, dayis ; woues to creatures ; his purgatorie, prayeris for the dead, praying or speaking in a strange language ; with his procesiounis and blasphemous Letanie, and multitude of Aduocatis or Mediatoreis ; his manifold ordoures ; auricular confession ; his despered and wneertayne repentance ; his generall and doubtfull Fayth ; satisfacioneis of men for theyr synnes ; his justification by workes ; his opus operatum, workes of supererogation, meritis, pardons, perigrinationes, and stationeis ; his holy water, baptysing of bellis, cungering of spritis, crocing, saning, anoynting, coniuring, hallowing of Godis good creatures, with the superstitious opinion joynd therewith ; his worldlie monarchie, and wicked hierarchie ; his three solemne woues, with all his shawelingis of fyndrie fortes ; his erroneous and bloodie decretes made at Trent, with all the subscryweris and approweris of that cruell and bloodie band, coniured agaynst the Kyrk of God. And



finally, we detest all his wane allegories, ritis, signes, and traditioneis broght in the Kyrk, without or agaynst the Worde of God, and doctrine of this true reformed Kyrk ; to the quhilk we joyne owrefelues willingly, in doctrine, fayth, religion, discipline, and vse of the holie Sacramentis, as lynely memberis of the same in Christ owre Head : promising and suearing by the great name of the Lord owre God, That we shall continue in the obedience of the doctrine and discipline of this Kyrk, and shall defend the same according to owre vocation and pouer, all the dayes of owre lyues, wnder the paines conteyned in the Law, and danger both of body and faule in the day of Godis fearfull judgement. And seing that manie are styrrd wp by Satan, and that Romane Antichrist, to promise, sueare, subscribe, and for a tyme vse the holie Sacramentis in the Kyrk deceitfully, agaynst there owne conscience ; mynding heireby, fyrst, wnder the externall clok of the religion, to corrupt and subuert secretly Godis true religion within the Kirk ; and afterward, when tyme may serue, to become open enemyis and persecutoris of the same, wnder wane hope of the Papis dispensation, diuised agaynst the Vorde of God, to his greater confusion, and theyr dowble condemnation in the day of the Lord Iesus : We therefore willing to tak away all supition of hypocrisie, and of syk dowble dealing with God, and his Kirk, protest and call the Searcher of all heartis for witnes, that owre myndis and heartis do fully agree with this owre Confession, promise, othe, and subscription ; so that we are not moved for any worldly respect, bot are perswaded onely in owre conscience, throught the knowlege and loue of Godis true religion, prented in oure heartis by the Holy Sprit, as we shall answer to Him in the day, when the secretis of all heartis shalbe disclosed. And because we perceauie that the quietnes and stabilitie of owre Religion and Kirk doth depend wpon the sawetie and good behaviour of the Kyngis Maiestie, as wpon ane comfortable instrument of Godis mercy graunted to this cowntrey, for the mainteining of his Kyrk, and ministratioun of Justice amongis ws ; We protest and promise solemnly with oure heartis, vnder the same othe, hand writ, and panes, that we shall defend his persone and authoritie with owre geyr, bodyes and lyues, in the defence of Christis Euangell, libertie of owre countrey, ministratioun of justice, and punishment of iniquitie, agaynst all enemyis within this realme or without, as we desyre owre God to be a strong and mercyfull defender to ws, in the day of owre death, and cuning of oure Lord

Jefus Chrift: To whome, with the Father and the Holie Sprit, be all honour and glorie eternally. Amen.

## JAMES R.

Mr Johne Crag.	Lenox.
Jhon Duncanfon.	Mortoune.
Michael Elphinfoun.	Bothwell.
P. Yowng.	Argyll.
Robert Erkyne.	Ruthven.
James Elphinfoun.	Robert Stewart.
S. Borthik vithe hand and hart.	Seton.
Welgame Crag.	R. Dumfermling.
Jhone Mordo.	P. Mr. of Gray.
James Coluill of Eft Wemes.	Cathcart.
George Douglas.	James Halyburtoun.
Alex <sup>r</sup> . Durem.	James L. Ogiluy.
Walter Steuart Pryore of	Allane L. Cathcartt.
Blantyre.	Villiam Schaw.
Villiam Ruthen off Ballandane.	James Steuart.
Jhon Scrymgeour Townger off	All <sup>r</sup> Seytown.
Glaswall.	J. Chiffle.
William Morray.	Richard Heriot.
David Murray.	Maifter Thomas Hamilton.
James Fraffer.	Waltir Kyer.

[Seeing that Wee and our household have fubfcribed and given this publick Confellione of our Faith, to the good exemple of our fubjects: We command and charge all Commiffioners and Minifters, to crave the fame Confellione of their parifhioners, and to proceed againft the refusers according to our laws, and order of the Kirk, delivering their names and lawfull procefs to the Minifters of our houfe, with all haft and dilligence, under the pain of fourtie pound to be taken from their fipends, that We, with advice of our Counfel, may take order with fuch proud contemnners of God and our laws. Subfcribed with our hand at Halyrudhoufe, the fecond day of March 1580, the 14 year of our Reigne. C.]

. . . . .



[Apud Edinburgh vltimo die mensis Aprilis, Anno Ɔ v<sup>c</sup> lxxxj<sup>o</sup>.

Sederunt.

Colinus Comes Ergadie Cancellarius.

Joannes Comes de Montrois.

Willielmus Dominus Ruthven.

Alexander Magister de Mar.

Robertus Commendatarius de Dunfermling.

Commendatarius de San&t Colme.

Commendatarius de Culros.

Clericus Registri.

Clericus Iusticiarie.

Aduocatus.

The quhilk day the Lordis of Secrete Counsale and the Commissioners of the Kirk presentlie convenit, hes concludit, aggreit and ordanit, That all benefices of cure presentlie vacand, and that heirefter sal happin to vaik, and be at his Hienes presentatioun, afoir the first day of Nouember nixto-cum, fall remane vacand and vndisponit quhill the samin day ; that, in the meyn tyme, it may be confiderit and aggreit vpoun the forme of dispositioun of the saids benefices ; and the estate and qualiteis of the personis, to quhom the samin benefices, and all vther that sal happin to vaik heirefter, falbe disponit.

Apud Edinburgh, nono die mensis Maij, Anno Domini Ɔ v<sup>c</sup> lxxxj<sup>o</sup>.

The Kingis Maiestie, with auise of the Lordis of Secrete Counsale, efter findre conferences had anent the constitutioun of the ecclesiastickall polecie, hes found it hard and difficill to attene to ony formall order thairanent likly to haue continewance to the posteritie, quhill the ancient boundis of the diocyes be desoluit quhair the parochins ar thick togidder, and small to be vnitit ; and quhair thay ar of ower greit and large boundis to be deuidit ; that thairefter presbitereis or elderschippis may be constitute. And to the effect that this work may proceed . . . . .

of God and ease and contentment of all his Hienes gud subiectis, his Maiestie hes directit his ernist and effectuous letters to certaine nowmer of noblemen, barronis, gentlemen, and ministers in certane boundis and parochins mentionat in his Maiesties directioun, willing thame that thay with samony vtheris as thay fall find gude to call vnto thair assistance, fall convene togidder and consult altogether; or then, with commoun consent, elect sum fewar nowmer amangis thame, of best judgement, zeale and experience, to confidder and try the ancient and present estaits of all the particular kirkis and parochinis in thair boundis; and how the ministers thair may be best plantit and sustenit in a certaine and ordinar form liklie to haue continewance to the posteritie, as in his Hienes letters and directioun thairanent mair speciallie is conceivit; and to send thair report thairvpoun in dew forme, in als speciall maner as may be; togidder with thair gude aduise anent the executioun of the Act of Parliament, for pvneishment of vagabunds, and support of the pure, betuix and the day of                   nixtocum. Bot becaus it is vnderstand to his Hienes and his said Secrete Counsale, that findre of the noblemen, barronis, gentlemen and vtheris, to quhom his Maiestie hes direct his lettirs for executioun and furtherance of this gude work, stands in sic termes for deidlit feidis, grudgeis, variances and occasiouns of displeasours amangis thame, as thay wilbe slaw to convene togidder for this effect, of thair avin motioun, without his Hienes expres commandment: his Maiestie alwyte intending, be Godis grace, that the same work fall proceid with all guidlie expeditioun, seing it concernis the glorie of God, his Hienes self, and the repois and quietnes of his haill subiectis and thair posteritie, thairfore ordanis lettirs to be direct to officiaris of armes, schireffis in that part, chargeing thame to pas, and in his Hienes name and auctoritie command and charge all and findre noblemen, barronis and gentlemen, to quhom his Hienes lettirs foirsaidis ar direct, amangis quhom ony displeasour, grudge or vnkyndnes standis, that they convene togidder at the places respectiue contenit in his saidis lettirs, at sic day or dayes as the ministers nominat in his Hienes directioun fall appoint; and thairwith with commoun aduise to do quhat in thame lyes, for the execution of his Hienes directioun foirsaid; and to send thair report thairvpoun at the day appointit: And to that effect, to command and charge thame, that nane of thame tak vpoun hand to inuaid, molest, persew or inquiet vtheris be way of deid be thame-selffis, thair kin, freindis, seruandis, assistants, partakers, or vtheris that they

may lett, or to mak pronocatioun of trouble or displeafour to vtheris in word, deid or countenance ; and, gif neid be, to gif and reffane affurance ilk ane of vtheris, to be vnhurt, vnharmit, moleffit, troublit, or perfewit vtherwyfe then be the ordinar cours of law and iustice : To indure quhill the first day of Nouember nixtocum, quhairthrow the said work may proceed with the better consent and diligence, as thay and euery ane of thame will anfuer to his Hienes vpoun thair obedience at thair vttermaist charge and perrell ; with certificatioun to thame that failgeis, thay salbe repute and esteemit the hinderars and slayers of the progres of the said gude work, and the makers and nvrissaris of trouble and disorder in his Hienes realme, and callit, perfewit and pyneist thairfore as accordis, with all rigour in exemple of vtheris. Reg. Sec. Conc.]

A. D. M.D.LXXXI.

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The Generall Affemblie convenit at Edenburgh, the 17 day of Octo-  
ber 1581: Quher ther was present the Commiffioners.

Exhortation beand made be Mr Robert Pont : Leits, Mrs Johne Craig, Andro Melvill, David Lindefay, and Johne Duncanfone. The said Mr Johne, be pluralitie of votes, was chofin Moderator hac vice, whose abfence fairnoone the said Mr Robert was ordanit to fupplie.

Seffio 1<sup>a</sup>.

[To the effect the aétiones to be handled in this Affemblie, may be the fooner and ryplier difpatched, the Affemblie hath thought meet, that certain Affeffors be chofen, at extraordinary hours to prepare matters to be treated in this Affemblie ; and to that purpofe hath nominate Mr James Lowfone, Robert Pont, Andro Hay, Andro Melvill, David Lindefay, Thomas Smeitoun, Alexander Arbuthnot, Andro Polwart, and David Fergufone, to convene with the Moderator in Mr James Lowfones Galrie at 8 hours before noone, and two after noone, and to continue fo furth to the end of this Conventione. C. & B.]

Sessio 2<sup>a</sup>.

The Assemblie ordainit [their brethren,] Mr Adam Johnstoun and Johne Durie to passe to the Kings Majestie in name of the Assemblie, [humble] defyreing his Hienes to direct Commissioners from his Grace to sie the proceedings of the Assemblie, and continue therein; quho returning [from his Grace with answer,] declarit, that for fundrie affaires of Counsell he could direct none quhill Thurelday, and that day his Grace sould send some instructit with his commissioun.

The haill Bischops being callit, none was present but Dumblane.

[Anent the Constitutioun of Presbyteries appointit in the last Assemblie : The persons to quhom the charge thereof was committit being callit to give a compt of thair diligence heirin : First, for Lothian, It was answered concerning the Presbytrie of Linlithgow, that they had not proceedit therein, be reason they understood that thir diverse zeirs bygane no Exercise hes been in Linlithgow, besyde the inlaike of a good Moderator there; and therfor thocht it meitest that the Presbyterie sould be in Calder, quher the Superintendent might be had to be Moderator; alwayes referis that to the judgment of the brether. C. & B.]

After voting [in the matter,] the Kirk concludit, That the Presbyterie be still in Lynlithgow quhill the nixt Assemblie, and no transporting nor change of the place of the Presbyterie be [made] without the determinatioun of the Generall Assemblie; as lykeways of all vther Presbyteries; admonishing also the towne of Lynlithgow, be thair Commissioner, that if good concurrence be not had be them thervnto, that the Kirk wald transport the Presbyterie from them. [Moreover, for the better establishing of the said Presbytrie in Linlithgow, the Assembly desired their brother, Mr James Lawfon, with advice of the brethren of these parts, to try how the same may most conveniently be done, and to report his judgment the morne.

As concerning Fife : In respect fundry doubts were alledged for the stay of the executione of the ordinance of the Assemblie, the Assemblie ordeans the same to be put in write against Thursday, at which time they shall receive their answer.

And for as meikle as many of the brethren craved uniformitie to be had in the forme of erectioun of the Presbyteries, and a certain rule to be pre-

scrived, to be kept in times coming ; the Assembly ordeaneth their brethren, Mr James Lawfon and Mr Thomas Smetone, to conceive in write the forme thereof, at some extraordinar hours, and to present the same to the Assemblie to be judged upon.

Concerning Angus and Merns : Report was made, that the brethren had concurred, and layd a Plat of the Presbytrie whereupon they had agreed ; and if the Assemblie thought meet, they would continue the same. The Assembly ordeaned the order hereof to be presented to the brethren the morne.

Anent the Presbytrie of Stirline : Albeit the same was appointed be the General Assemblie, and Dumblane ordeaned to be one of the Kirks thereof ; yet fundry of the brethren alledged that there might be a Presbytrie in Dumblane of a sufficient number of Kirks, and another at Stirline. The Assemblie ordeaned a Platt of their Kirks to be exhibit the morne, to be consulted upon.

Tuiching Glasgow, it was declared that the ordinance of the Assemblie was satisfiied. C.]

### Sessio 3<sup>a</sup>.

[Anent the Constitutione of the rest of the Presbyteries appointed in the last Assemblie, the brethren remit the further handling thereof to the heid of planting of kirks. C. & B.]

[Anent the Kings Majesties Missive presented be Mr Walter Lindsey, concerning Mr Robert Montgomerie, Minister at Stirline : The Assembly hath delayed their answer till four afternoone ; and also to the propositione of the brethren of Glasgow, who this day were charged be Mr George Young, in name of the Kings Majestie, to give their resolut answer concerning the admission of Mr Robert Montgomerie the morne afternoone. C.]

[Anent the complaint made upon Alexander Mure, Minister of Falkland, quho married persons divorcit for adulterie ; and Alexander Forrester, Minister at Tranent, quho baptizat ane bairne in ane privat house, against the good order of the Kirk, for which he lyes under suspension from his office : The Assembly, after the acknowledging of his offence and slander given by him, in transgressing and breaking the Acts of the Assemblie,

ordeaneth him to be restored to the functione of the Ministrie, he making publick repentance in the kirk of Tranent for the same, in presence of Mr Andrew Blackhall, Minister ; and that the like order be observed against others who, in tymes bypast, have broken the good order of the Kirk in the ministratioun of Baptizme in privat houses : And for eschewing of such disordour in tyme comeing, and lykewayes ministratioun of the Lords Supper, and celebratioun of Mariage in privat houses, it is resolved, and concludit be commoun consent of the hail brether, That, in tymes comeing, no Mariage be celebrate, nor Sacraments ministrat in privat houses, bot solemnlie according to the good ordour hitherto observit, under the paine of depositioun of the persons that vses the said ministratioun, from thair offices and functioun of the Ministrie in tyme comeing. C. & B.]

Sessio 4<sup>a</sup>.

[Anent the answer to the Kings Majesties letter : The Assemblie thought meet to direct their brethren, Mr James Lawfon, Mr David Lindley, John Durie, to his Grace, to let his Grace understand, that the Synodall Assemblie of Lothian received no Missive from his Grace ; secondly, that the Assembly, conforme to his Graces Missive, hath stayed proceeding against Mr Robert Montgomerie till Friday, that conference might be had in that matter as is desired, and hath nominate for the part of the Assemblie to confer thereupon, Mr Robert Pont, Mr Thomas Smetone, Mr James Lawfon, Mr Andrew Melvil, and Mr Alexander Arbuthnot ; requesting his Grace to use no proceeding or charges against the brethren of Glasgow, seeing the whole brethren of the Assemblie take the charge upon them, and avow their proceedings ; and in the mean time the Assemblie, be the voice of the Moderator, charged the said Mr Robert not to depart till this Assemblie be dissolved, and continue these summonds till Friday. C.]

The Assemblie of the Kirk gives full commissioun to the Elderschip of Dundie to call the Maister of Gray before thame, to give ane accompt of his professioun, and to give confessioun of his faith ; and to proceed against him according to the Acts of the Kirk, and that with all possible diligence.



Sessio 5<sup>a</sup>.

[The brethren appointed to give answer to the Kings Majesties letter, returning declared, that they had used their commissiōne to his Grace conforme to directiōne, and that his Majesties answer was, That he knew not of the sending of the first letter, nor contents of the last; and had appointed certain Commissioners to conferr with these appointed be the Ministrie: Who being dimitted be the Assemblie, after certane hours returning again to shew that they had entred in certain communing with the saids Commissioners, which they repeated at lenth: Alwise in fine, C.] His Majesties Commissioners inquiryt of the Commissioners of the Kirk, in case the Kirk damned the office of Bischops, quhervnto is annexit also ano temporall jurisdictioun, quherin the Kirk is servit be voting in Parliament, assisting in his Hienes Counsell, contributioun in taxatiouns and sicklyke, What overture they wald shew, quherby the King be not prejudgit be the taking away of that Estate. For the advyseing of this heid, quhilk the Assemblie thocht verie wegtie and of great consequence, they have nominat [the Right Honourable and their brethren,] Andro Ker of Fowdounsyd, the laird of Coldenknowis, Keir, Cardoun, Colluthie, Morphie, Braid, Fintrie, Damahoy, Cowhill, Carletoun, Segy, the Proveysits of Edinburgh and Striveling, the Commissioners of Edinburgh, Stirling, [Leith,] Perth, Montrois, Mrs Andro Hay, Andro Polwart, John Porterfield, William Rynd, David Fergusone, John Rutherfuid, David Lindefay, William Edmestoune, with the fixe brethren [appointed] on the conference, [to convene in the New Kirk at two afternoone, and with good deliberatione to resolve upon their opinion and judgment, to be reported to the full Assembly.

For answering of the Bills: The Assemblie appoints Mr James Melvil, Mr James Carmichel, the Laird of Colluthie, Mr James Balfour, Mr Andrew Melvil, James Anderson, John Clappertoune, Mr Thomas Buchanan, to conveene at afternoone, and to continue dayly in the loft of the New Kirk till they be answered. C.]

Forfameikle as the Kings Majestie, with advyce of his Counsell, hes sett out and proclaimit a godlie and christian Confessioun of Faith, to be imbraceit be all his true subiects; and be the same expresse giving com-

mandement to the Ministrie to proceed against quhatsoever persons that will not acknowledge and subscribe the same, quherin great negligence hes [hithertill] bein sein, farre by the duetie and office of true pastours: Heirfor the Kirk and Assemblie present hes injoynt and concludit, That all ministers and pastours within thair bounds, with all expedient and possible diligence, execute the tenour of his Majesties proclamatioun, betuixt and the nixt Synodall Assemblies of every Province; and present befor the [said] Synodall Assemblies, to the Moderatour therof, thair duetifull diligence in this behalfe, to be reportit to the nixt Generall Assembly of the Kirk, vnder the paine of deprivation of the saids ministers from the functioun of the ministrie, that beis found negligent heirin.

Sessio 6<sup>a</sup>.

The brethren appointit to conferre vpon the overture [to be] made to the Kings Majesties Commissioners concerning Bischops, reportit, That, after long reasoning, they had aggreit in this farre, that tuitching voting in Parliament, assisting in Counsell, Commissioners from the Generall Kirk should supplie the place of Bischops: And as to the exerceing of the civill or criminall jurisdiction anent the office of Bischops, the heretabill Bailgies should vse the same; referring to the judgement of the hail Kirk to consider of thair answer, if they thought the same meit to be communicate be the said brether to the Kings Commissioners: quhilk the Kirk altogether thought meit, and allowit the judgement of thair brether.

Sessio 7<sup>a</sup>.

[The which day] compeirit James Melvill, Gentillman of the Kings Chalmer, and presentit vnto the Kirk his Majesties wryting, concerning tryall to be takin of certaine words alledgit spokin be Mr Walter Balcanquell, in his late fermoun, against his Hienes Culine, Esme Duke of Lennox, with credit to the bearer quho shew that in this farre he had credit to speake; That becaus at the last calling of Johne Durie and the said Mr Walter befor the Privie Counsell, vpon account of thair fermouns, offence was takin be the Kirk, therfor his Grace now laments

the matter to the Affemblic, willing them to try the matter, and put ordour therin.

The words quherat the Dukes Grace is offendit, are thir, that the said Mr Walter had spokin in pulpitt, That, within thir four geirs, Papistrie had entrit in the countrey, not only in the Court, but in the Kings Hall, and [was] maintanit be the tyrannie of a great campion, quho is callit Grace; and if his Grace wald oppone himselfe to Gods Word, he fould have litle grace.

Farther, concerning the Bifchop of Glasgou, the Kings Majestie desyreit they fould stay any proceedings against him as Bifchop; yet if ther be any vther thing that the Kirk hes to lay to his charge, let them vse thair ordour.

Heirynto the said Mr Walter anfuerit: Seeing that, in the Kings Majesties letter, and credit givin to the bearer therof, he is accusit, prayed the Moderatour to suffer him [a litle] to giue his anfuer therto; the summe quherof shortlie salbe this: First, he praises God that he is not accusit of any thing quherin either civillie or criminallie in his lyfe or conversatioun, he hes offendit the Kingis Majestie or his lawis, quhervnto with all reverence and at all tymes he is readie to submitt himselfe as effeirs; bot is accuseit of these things quhilk he hes spokin publicklye in the pulpitt, quherin he hes bein more plaine in reproving of vyce then some men can goodlye suffer, quhilk is a verie point of his doctrine; quhilk, howbeit, he ther heare callit open slander, yet he must so justifie the same, that thogh all the kings of the earth wald call it erroneous, yet he is readie heir be good reason to prove it to be the verie trueth of God; and if neid sal requyre it, to seale it with his blood. Secondlie, he prailes God for this, that of his last accusatioun God hes givin this meikle victorie to his Kirk, that howbeit then it was callit in questioun, to quhom the judgement of the Doctrine fould appertaine, zit as then be good reason it was concludit, and promisit be the Kings Majesties Counsell and Commissioners [appoyntit] therfra to conferre with the Ministers in that matter, That in all tymes comeing the tryall of the Ministers doctrine fould be referrit to the judgement of the Affemblic of the Kirk, as the onlie competent judge thervnto; so now it is performit, and for that he lies that promise now keipit, he thanks God, and is so meikle the more glad to give his anfuer befor thair godlye Wisdomes of the Affemblic present, as his competent judges in this matter, and that after this maner. As concerning these things that he

spake in his fermoun the last Wedinsday, he spake them not quyetlie, bot all his brether and all the haille Assemblie heard them, and so, of all vthers, can best judge of the same: Quherfor, with all reverence, he will submitt him selfe simplie vnto thair godlie judgements, alwayis neither being ashamed of his doctrine, neither yet being myndit to give any advantage to his enemies, so farre as he may, whose purpose aganis him he knowes in this matter. He will only requyre this conditioun, that the Canon of the Apostle Paul be keiped to him, quhilk is this; Against ane elder receive no accusatioun, but vnder two or thrie witnesse; according to the quhilk forme of proceeding he craves in this matter. Heir are ze the Assemblie of the Kirk, as competent judges for him; heir he is ready befor your Wisdomes to ansuer to all accusatiouns that salbe laid against him, and vnderly your judgements thervnto. Let any man, therfor, according to the Canon of the Apostle, quhilk on no wayis ze can breake, stand vp heir befor you, and say he hes any thing to accuse the said Mr Walter of, either in lyfe or doctrine, and his two or thrie witnesse [readie] with him to prove his accusatioun; then the said Mr Walter shall ansuer his accusatioun [as effeirs:] For seeing James Melvill hard not his doctrine, and therfor will not take vpon him to accuse the said Mr Walter, he will superseid farther ansuering, quhill he sie his accuser quathsumer, to quhom, be the grace of God, he salbe readie to ansuer as accords.

The Assemblie ordaines Mr Thomas Smeitoun and David Fergusone to passe to the Kings Grace with this ansuer: That seeing Mr Walter is ane brother in the ministrie, the Canon of the Apostle must be keipit vnto him; and therfor the accuser, with his two witnesse, ought to be had. Farther, in respect that at the last calling of Johne Durie befor the Privie Counsell, vpon ane compt of certaine words alledgit spokin in his fermoun, ordour was takin be certaine Commissioners of Counsell and brether of the Kirk, that, in case such accusatiouns afterward sould fall out, the Kirk sould have the judgement therof: and if the Kings Majestie please to send any Commissioners [to be present] at the tryall, they sould sie the proceedings of the Kirk; therfor desyres his Majestie to send Commissioners to sie this matter tryed, seeing the Kirk is most willing to try the same.

[The Moderator warned, in name of the Assemblie, Mr Robert Montgomerie being present, that he depart not from this Assemblie till this matter be tried; which he promised faithfully to do.

Sessio 8<sup>a</sup>.

The brethren appointed be the Assemblie to report thair answer to the Kings Majestie, Declared that they had discharged thair commiſſione, and that the King had desired James Melvil to put the Counſel in remembrance of ſome Commiſſioners to be ſent to the trial againſt Mr Walter.

Sessio 9<sup>a</sup>.

Mr Johne Craig, Miniſter of the Kings houſe, declared that he preſented to the Kings Majestie the letter written be the Erle of Angus to the Assemblie; who, after reading thereof, desired him to preſent the ſame to the Counſel in his name, which he did, requiring the Counſel to conſider the matter aright, and give unto their Maſter good counſel therein; as it was his caſe to-day, it might be theirs to-morrow.

The Aſſembly ordeaneth William Chriſteſone to paſs to the Kings Majestie, and mean to his Hienes the great diviſion, and deadly feeds in all quarters of the realme, to the great hinderance not only of religion, but of the common wealth; deſiring his Grace to authorize ſome Commiſſioners of the Kirk, as they ſhall direct, for repairing thereof.

Anent the conference with the Kings Commiſſioners: The brethren appointed therto declared they had waited thereon; and the Kings Commiſſioners ſhew they had no laizour. C.]

Anent the eſtabliſhing of Preſbyteries: The Kirk aſſemblit hes nominat certaine brethren to travell diligentlie in erectioun of Preſbyteries, as they ſhalbe ſeverallie divydit [in manner under ſpecified,] betuixt and the next Assemblie; and ordaines thair brother, Mr James Lowſone, to pen the forme of proceeding in erectioun thereof, that the brether being informeit of the ordour, may vniformelie proceed therein.

[For Cathneſs and Sutherland.

Mr George Hay, Mr John Robertſone, Mr George Monro, and John Gray.

For Rofs.

Mr Johne Robertfone, Mr George Monro, the Parfon of Duffas, the Minifter of Innernefs.

For Murrey.

The Perfon of Duffus, the Minifter of Innernefs, Mr George Hay, John Strathauchan, and James Reid.

For Aberdeene and Bamf.

Mr Alexander Arbuthnet, Mr George Patterfone, David Howefone, James Reid, and Steven Meafon.

For Merns.

The Laird of Dun, Mr Andrew Mylne, Patrick Bonckle, Alexander Keith, my Lord of Deir, and the Erle of Marfhel.

For Angus.

William Chriftefon, James Anderfon, the Laird of Dun, Mr John Hepburne, the Laird of Kinaird in Kerfe, Mr Patrick Frazer, the Erle of Montrofe, the Provost of Dundee, the Laird of Pourie-Ogilvie, Powrie-Fothringhame, Grange, Fleck, Moygude.

For Perth and Stratherne.

The Minifter of Sanct Johnftoune, Mr William Rynd, Mr William Edmiftoune, the Minifter of Tibbermure, Mr Alexander Dinnure, the Lord Ruthven, the Laird of Bathyok, and thir brethren to take advice of my Lord Grahame, the Laird of Keir, John Duncanfone, and Mr James Pont, concerning that part of the Diocie of Dumblean.

For Dunkeld.

The fame brethren, with the Minifter of Dundee, and James Anderfon.

For the Eaft end of Fife.

Mr Thomas Buchannan, Mr Patrick Adamfon, Mr Andrew Melvil, Mr William Clerk, the Laids of Lundie and Caluthie, Patrick Kyninmonth. C.]

[For Falkland.

Mr Walter Balcanquhall, Mr Patrick Adamfone, My Lord Rothes, the Laird of Balvaird, the Laird of Creiche. C. & B.]

[The West end of Fife.

David Fergufone, George Scot, Peter Blackwood, the Lairds of Pitfirran and Pittincreife.

For establishing the Presbytrie of Linlithgow :

Appointed Mr James Lawfone, and Mr David Lindfey.

As to the Merce :

Ordeans Mr David Lindfey to visit the Presbytrie erected there, and to exhort the Gentlemen to hold hand thereto.

Teviotdail.

The Minister of Jedburgh, John Clappertoune, Mr William Achinmoulie, the Lairds of Faudonfide, Ceffurd, Coldingknows, Nicol Carncroce, Simon Scot of Thirlestoune, the Laird of Hundelie, Mr John Knox.

For Tiviotdail.

John Brand, Mr Andrew Blackhall, Mr George Hay, Mr Archibald Douglass, the Lairds of Traquare, Skirline, and Blackbaranie.

For Nithisdail.

Mr James Bryfon, the Minister of Dumfries, Mr Archibald Sinclar, my Lord Herries, Maxwel, and Dumlenerige.

For Galloway.

John Duncanson, Mr James Hamiltone, James Dodds, John Young, the Laird of Lochinvar.

For Kyle, Carrick, and Cuninghame.

Mr John Young, Minister of Air, John Mackorne, Mr James Greg, the Lairds of Bagenie, Carrlingtoun, Capringtoun, Hefilheid, and my Lord Eglintoun.



For Cliddfdail, Renfrew, and Lennox.

Mr Thomas Hay, Mr Andrew Polwart, Mr John Hamiltoune, Mr Thomas Smetone, and Mr Andrew to oversee the countrey where Presbyteries are not established.

Sessio 10<sup>a</sup>.

Anent the accusations layd verbo to the charge of Mr Robert Montgomerie: The answers being heard, and answered negativè, the Assemblie ordeaned the said Mr Robert to take the copy thereof, and answer in write upon Twesday before noon: The tenor of the said accusations followeth. C.]

[Certane] Articles whereof Mr Robert Montgomerie, Minister at Striveling, was oppinly accusit in the Generall Assemblie, anent his doctrine.

1. That publickly preaching in the kirk of Striveling, he proponit a questioun twiching the circumcisioun of wemen, and in the end concludit, that they were circumcised in the fair skin of their fairheid.

2. In Glasgow, he [openly] taught that the discipline of the Kirk is a thing indifferent, and may stand this way or that way.

3. [Approving the inward calling to the Ministrie, he left the outward and ordinarie calling in doubt. C.]

4. He accusit the Ministers that they vsed fallacious arguments and captious, and that they were curious braines.

5. So farre as he could, he travellit to bring the originall languages, Greik and Hebrew, in contempt, abusing thereto the words of Apottle, 1 Cor. 14. and tantinglie asking, In quhat schoole were Peter and Paul graduat.

6. To prove the corrupt estate of Bischops in our tyme, he broght forth the examples of Ambrose and Augustine, &c.

7. It is sufficient to baptize in the name of the Father only, or in the

name of the Sonne, or in the name of the Holy Ghost, becaufe they are all one God, and to that effect alledgit the 19 of the Actis.

8. The matters of Discipline and lawfull calling in the Kirk, he callit trifles of Polecie.

9. He accutit the Ministrie of feditioun and leife Majestie saying, exhorting them not to be seditious, nor to meddle with hie mattres, to leave off to put on crownes, and put off crownes, for if they meddlit any farther therewith, they wald be reprovit.

10. He condemnit the applicatioun of the Scripture to the particular maners and corruptions of men, mockinglye asking, In quhat Scripture they may find a Bischop for a 1000 pound, horse, corne, and pultrie; and quhen they teach of love, How could they find Judas.

11. He oppugned the doctrine of Chryst, quho pronouncit that the most part are rebellious and perisich.

12. He denyed, that in the New Testament any mentioun was made of the Presbyterie or Elderschip.

13. He accutit the Ministers of pasquilles, of grudging and murmuring, of trouble and confusioun, of lying and backbyting, saying, Quher is it, who will doe it, what fault can they find with the Court: As for my selfe I find none.

14. The Kirk beand traducit be pasquilles and infamous lybells, not only purgit he not the Kirk nor himselfe therof, having good occasion, but rather approvit the same.

15. He vsed [in] his preaching against the Ministrie, the verie wordes of the lybell that was castin in the Kings chalmer agains them.

16. This quarter zeir bygane, he hes bein negligent in doctrine, discipline, and assisting of the Elderschip.

#### Sellio 11<sup>a</sup>.

[Anent the conference appointed with the Kings Commissioners: The Assemblie required the brethren who were nominat to this effect, to pas and insist in seeking the conference; as likewise to desire that certaine of the Counsel might be chosen to concurr and assist in forming of such Articles as shall be meet to be proponed be the Kirk to the Parliament. C.]

Heids referritt from the Synodall [Affemblie] of Lowthiane to the  
Generall Affemblie.

1. First, That ane vniverfall ordour be tane and made be the Generall Affemblie, for examinatione, tryall, admissioun, and ordination of Ministers.

2. To inquire quhat persons of the Ministrie fall designe gleibs and manfes; and seeing that the Synodall [Affemblie] of Lawthiane hes thocht good, that every Presbyterie fall direct some of thair awin number to designe gleibs and manfes within thair awin bounds, we crave the consent of the Generall Affemblie, that the same salbe vniverfall; and quher ther is no Presbyterie, to appoint quho fall designe the same.

3. Who fall awaite vpon the platt for modifieing of the Ministers stipends.

4. What answer salbe givin to the Kings Majesties letter concerning the vnioun and disjunctioun of Kirks.

5. That an vniformitie be vsed for sumounding of persons befor the Presbytery, and proces that is to be led befor the same.

6. To sute that the tryall and admissioun of all masters of schooles, be now joynit to the Presbyteries.

7. Seeing we of the Synodall [Affemblie] of Lawthiane hes aggreit, that disputatioun salbe every day of the Exercise in every Presbyterie, especially vpon such articles as are in contraverfie betuixt us and the Papists: for avoiding of negligence of Ministers, and to the end we may the better withstand the aduersar, that the Generall Affemblie will appoint the forme therof.

8. What ordour salbe vseit with Ministers and Reidars that fellis thair gleibs and manfes, as ze ovirsie the same.

9. That ane article be suited be the Generall Affemblie at the Parliament, that all marriages without consent of parents, proclamatiouns of bands, or vtherwayes without the awin solemnities according to the ordour of the Kirk, be decernit null.

10. To crave that ane Act of Parliament may be made aganis them that pusses in pilgrimages, and vses superstitioun at wells, croces, images, or

whether papificall idolatrie, or observes feasts and dayes dedicat to Santes, or fetts out beanyres for superflitioun.

11. Seing the Act of Parliament appoints them that are convi& of notorious adulterie, and through the ambiguous expositionn of this word Notorious, no execution is vsed thervpon: Therfor for avoyding the plagues hingand above this haill countrie for this cryme, That the Generall Assemblie wald crave that ane act may be made in Parliament for punishment of all persons to the death, quhosoevir are lauffullie convi& of adulterie.

12. Seing ane Act of Parliament is made anent discharging of mercatts vpon the Sonday, and no executioun hes followit thervpon, quherthrow the peiple absenting themselves from the Kirk, and waiting vpon the mercatt, continues in ignorance, and be this meanes atheisme does increafe: Defyre that some ordour may be takin in this Parliament for the executioun of the said act; [and] that some punishment may be appointed aganis the magistrates that puts not the same in executioun, notwithstanding any privat dispensatioun in the contrair.

13. That ane Act of Parliament be made for provisioun of gleibs and manfes to sick ministers as teaches at Abbay Kirks, lyke as they are provydit for vthers.

14. Because ther is ane act of Parliament, that all Provostries and Prebendaries salbe givin to schollers to hold them at the schooles; and it is of veritie that ther are verie many of these fort, that is of cure of soules and paroch kirks, not the less, be reason of the act of Parliament, they are givin to Courtiers: Therfor we defyre that ane act of Parliament may be, That all Provestries and Prebendaries that hes care of faules, may be givin to none but to Ministers; and that if any be givin, [they] may be null in tyme comeing. Sicklyke, Prebendaries foundit to schooles and Masters teaching the same, be givin, conforme to the foundatioun, to schoole masters for instructing of the youth; and if the same be disposed vther wayes, the disposition to be null.

[Followeth the Tennor of the] Answers made to the saids Heids.

Anent the first article: The Kirk hes ordanit William Christefone, Mrs Andro Melvill, Thomas Smeitoun, Alexander Arbuthnot, and James Lowfone, to considder the ordour at extraordinar houris, and to report thair

judgements to the Kirk ; and Mrs Andro Hay and Nicoll Dalgleish to assist them.

As to the second : The first part is aggreit vnto ; and quher Presbyteries are not yet, nor cannot be erectit, the Commissioners quhilk were befor, are appointed to remaine Commissioners [yet] to that effect.

For satisfieng of the thrid : The Kirk hes nominat the Commissioners vnderwrytin, viz.

The Commissioners of Orkney and Zetland, } For Orkney and Zetland.  
[and, in their absence, Mr David Lindsey, }

Mr George Hay :—For Cathnes.

Mr John Robertstone :—For Rofs.

Mr John Keath :—For Murrey.

James Reid :—For Aberdeene and Bamf.

:—For Angus and Merns.

Mr Thomas Buchanan :—For Fife.

Mr Patrick Adamson,

David Fergusone,

Alexander Dinmure :—For Perth and Stratherne.

Mr David Lindsey :—For West Lothian and Stirlane Shire.

Mr Adam Johnstone :—East Lothiane.

John Clappertoune :—Merce.

Mr Andrew Clayhills :—Teviotdail.

George Johnstoun,

Mr Andrew Blackall :—Tweddail.

John Brand,

Mr Peter Waton,

Mr James Bryfone :—Nithisdale.

John Duncanson :—Galloway.

Mr John Young :—Kyle, Cariet, and Cuninghame.

Mr Andrew Hay :—Clidfdail, Renfrew, and Lennox: C.]

For anfuering to the fourth concerning the Kings letter : Ordaines the Clerk Register to be consultit vpon the anfuier.

To the fyft : Referris the forme therof to be conceivit in wryte be Mrs David Lindefay and Patrick Adamfone [the morne] betuixt 6 and ix.

As to the 6 : Aggried to be proponed in Article to the Parliament.

The 7 : Referrit to the Elderschips ; and alwayes quher thir disputations may be had, the Kirk thinks them good.

For anfuer to the 8: The acts of the Affemblye to be put in execution againft fuch perfons be the Elderfhips.

The 9: Ordaines this article to be cravit at the Parliament, beand firft well qualified and prefented to the Kirk.

The 10 ficklelyke. The 11 aggried. The 12 ficklelyke; and the Kirk to proceid lykewayes againft the violaters of the Sabboth day, and mantainers of the fame.

The 13 and 14 aggried.

### Seffio 12<sup>a</sup>.

[The brethren appointed to infist in the Conference returned report of their anfwer, That certane of the Kings Counfel were ordeaned to convene the morn afternoone, to reafon annent the Bifhops; and as to the forming of the Articles, defired that the brethren fhould penn the fame, and fhew them to the faid Commiffioners; requiring farther concerning Mr Robert Montgomerie, that the Affemblye fhould not proceed in any way againft him while the Conference were abfolved. The Affemblye hath ordeaned the faid brethren nominate before the faid reafoning, with Mr David Lindfey, John Duncanfon, and William Chriftefone, to on wait upon the faid Conference the morne afternoon; and ficklelike, the fame brethren to conceive in write the faid Articles, that they may be prefented to the faids Commiffioners after the Affembly hath feen them.

As concerning Mr Robert Montgumerie: In refpect of the Kings Majefties request, the Affemblye fuperceeds the procefs againft him while Wednefday: In the mean time ordeans their brethren, John Duncanfone and John Brand to crave of the Kings Majeftie, that as the Affemblye hath delayed their proceedings againft the faid Mr Robert, fo his Grace will fuperceed any further proceeding with him concerning the Bifhopricke. C.]

For fameikle as be the great and many divifious and deadly feids ryfeing in all the quarters of the realme, not only is the Word of God and true religioun burdenit with flanders, but alfo the comoun weill enormelie woundit and hurt; difcipline and all good ordour confoundit; brotherlie charitie and amitie alluterlie contemnit, to the greife of good mens confcience: Heirfoir the Kirk hes ordainit to thair lovit brether, John Durie, Mrs David Lindefay, Andro Polwart, Andro Hay, Thomas

Smeitoun, the Minifters of Air and Irwing, to travell in the Weft; James Lowfone, John Brand, David Lindefay, to travell betuixt my Lord Gowrie and Oliphant; the Lairds of Colluthie and Kinnaird, the Bailgie of Errol, Patrick Adamfone, William Chryftefone, and Mr James Balfour, to travell in Angus, betuixt my Lord Craufurd and Glames; and effectuously interveine for reconciling of the faids parties, and vthers falling out in all thir quarters: requyring them in the name of God, and of the hail Kirk, to live in vnitie and peace with vthers as brether and members of ane body, and not to give occafion, be thair divifion, of flander, and oppin the mouthes of the enemies to burdein [and charge] the Evangell with calumnies, as they will fhew themselves [to be] the fonnes of peace.

Seffio 13<sup>a</sup>.

The Kirk, baith for provifion of Sanct Androlé and vthers burghes wanting paffours, hes nominat certaine brether, out of whole number fo many falbe electit, to be placit in the faids rowmes, whose names followes; Mrs James Craig, Alexander Hooime, William Rynd, George Hay, George Paterfone, Gilbert Gairdin, Alexander Dunmure, James Hamilton, James Melvill, James Balfour, John Knox, David Lindefay, Thomas Makgie, Michael Cranftoun, James Anderfon, and William Achmoutie: ordaining the brether that knawis any vther perfons qualified for the Miniftrie, to give in thair names afternoone.

Anent the corruptioun of buriall within the towne of Sanct Androes: The Affemblic hes ordainit, [and ordains] Mr Patrick Adamfone to put the act of the Kirk to executioun aganis the perfons that hes contraveinit the fame.

Seffio 14<sup>a</sup>.

[Anent the questione, which hath been in part reasoned, concerning the marriage of Parties divorced for adultrie:] The hail brethren are admonifhed to obferve the act made already anent the mariage of Parties divorced for adulterie, vnder the paines therin conteinit, quhill the



questioun be finallie resolvit vpon be the advyse and consent of the hail Kirk.

[Anent the conference had with the Commissioners of the Kings Majestie, concerning the Bishops, and Articles to be proponed to Parliament : The Assembly appoints Mr David Lindsey and Mr Thomas Smetone to await on the said answer the morne, and to that effect to pass down to the Abbey the morne at 9 hours. C.]

### Sessio 15<sup>a</sup>.

Anent the desyre of [their brother,] Mr Walter Balcanquell, Minister of Edinburgh, desyreand, that, according to the Kings Majesties directioun to the Kirk, his accusatioun may be lawfullie tryed, and his accuser and witnes broght befor ; or els, seeing he spake nothing but publicklye in face of the hail brethren, that they shuld give thair judgement and determinatioun in the matter ; submitting him alwayes reverentlie to thair Wisdomes.

The brethren present ordained [their brethren,] Mrs Thomas Smeitoun and David Lindefay, to passe to the Kings Majestie, and shew thair good will to have the matter tryed conforme to his wryting ; desyreing for that effect of his Grace, that the accuser, with his two witneses, may be broght befor the Kirk ; as also, if it be his Hienes pleasure, to send some Commissioners from the Counsell, to sie the matter rightlie judgeit and proceidit in be the Kirk.

Anent the supplicatioun givin in be Johne Craig, appeirand of Ramus-craig, and Agnes Irwing his spous, desyreing that the Commisars of Edinburgh shuld be requyrit to superseid the cause of Barbara Keith aganis them befor the said Commisars : The saids Commisars being present, the Kirk requyrit them in this particular, as also in vther things that appeirs to touch the jurisdicthioun of the Kirk, that on na wayis they proceid quhill they conferre with the Pryour of Pettinweime, Mrs Robert Pont, Alexander Arbuthnot, quho sall concurre with them the morne at nyne houres, and reason with them both anent thair jurisdicthioun and the jurisdicthioun of the Kirk, that neither of them vsurp vthers jurisdicthiouns ; and heirin to report thair judgement to the Kirk againe ; requessing also the saids Commisars, that, dureing the dependance of this conference,

no farther be proceedit in the said cause: unto the quibilk conference the said Commiffars aggried.

Sessio 16<sup>a</sup>.

[Ordeans John Smith or Patrick Gilespie to warn Mr Robert Montgomerie to be present the morne after noone. C.]

The brethren direct to the Kings Majestie and Counsell, reportit, That be reason of the great affaires of the King and Counsell, they could get no anfuwer of such things as they were directit for.

Sessio 17<sup>a</sup>.

The Kirk consentit to the supplicatioun of Alexander Borthwick, Minister at the Kirk of Livingstoun, quho being ane actuall minister and of meane literature, humbly desyrit the Kirk to grant him licence to gang to some Vniverfite within this countrey, quher he may studie in Theologie, and to have some kirk neir adjacent ther, quher he may travell in the ministrie, in the meane tyme; so meikle the rather as he hes obtainit leive of his flocke, quho may at this tyme be easilie provydit.

Ordaines Mr David Lindefay to passe to the Sessioun of Edinburgh and desyre them to declare, if they, or any of them, fand any errour, slander, or offence in the fermoun preached be Mr Walter Balcanquall, vpon Wednesday was aught dayis.

[Anent the desire of the Commissioner of Stirline, desiring the Assemblie to be carefull to provide a minister and pastor to the Kirk: The Assemblie directed their brethren, the Laird of Careltoun and Mr Thomas Buchanan, to Mr Robert Montgomerie, to crave his answer in writ, If he will remain minister of Stirline, or not, and to compear before the Assemblie, if he may, presently: who returning with his answer, Declaired he was lying in his bed, as he alledged, sick, and if the Commissioner of Stirline will come to him, he shall give them answer: As to an answer in write to the desire of the Assemblie, answered, He received no ordinance in writ. Immediately hereafter were dispatcht unto him from the Assemblie, the same brethren with ane ordinance from the Assemblie in writ, charging

him absolutly to answer, If he will abide in the charge of the said ministrie in the Kirk of Stirling, or not, under the pain of disobedience if he refused.

Sessio 18<sup>a</sup>.

The brethren direct to Mr Robert Montgomerie with the ordinance of the Assembly, returned his answer, That his place in the ministrie of the Kirk of Stirling was be the Kirk, and for his part, if it pleased the Kirk, he is content to leave the same; howbeit he be not content to leave the ministrie in the Kirk of God, craving of the Kirk, that he may have their good will therein, and of his flock. Herewith also they presented in the said Mr Robert his name, the tenour of a sermon preached be him, as an answer in effect to all the accusations being given in be Mr Andrew Melvil against him; which being read, and considered: To the first part concerning his flock, The Assembly answered, They would give him no licence to leave the Kirk of Stirling; commanding him to remain with his flock there, while he be removed be the Generall Assembly, under the pain of the censures of the Kirk. C.]

Anent the accusations given in be Mr Andro Melvill, Principall of the New Colledge of Sanct Androes, against Mr Robert Montgomerie, Minister of Striveling; and his answer made therto verbo befor, and given in this afternoon in his name: The Kirk being resolved therewith, admitts to the said Mr Andro his probatioun, the contents of the said articles, assigning to him the morne to prove the same; and ordaines the officer of the Kirk to warne Mr Robert to compear the morne, at ten houres, in the Assembly, to heir witness and probatioun receivit.

[Anent the accusation layed against Mr Walter Balcanqual, one of the Ministers of the burgh of Edinburgh, for alledged uttering and speaking of certaine words in his late sermon in the pulpit thereof, charging, as was alledged, the Kings Majesties cause, Esme Duke of Lennox, with sundry things importing very highly the estate of the religion, whereof the particular report was made be James Melvil, a Gentleman of his Majesties Chamber, in face of the full Assembly, and bearer of his Hienes letter, be credit given to him thereby &c.: C.] The hail Assembly being of good mynd and weill affectionat to try the points of the accusation given in be

James Melvill, Gentillman of his Majesties Chamber, in name of the Duke of Lennox ; and having diverse tymes travellit with his Majestie, that the rule of the Apostle shold be kept to thair brother, and the accuser, with his twa witnesses, brocht befor ; as lykeways, that his Majestie wald direct some Commissioners from his Counsell, to vnderstand heirin the just proceedings of the Kirk : quherin seeing no effect of thair sute, get, for satisfactioun of the Kings Majestie, and removing all the slander that may arise heirby, first direct certaine Commissioners from the haill Assemblie to the particular Kirk of Edinburgh, quherof the said Mr Walter is minister, requyring of them, If, in the said fermoun, quhilk was vpon Wednesday was aught dayis, they, or any of them, had found, [or finds,] any word spokin quhilk was erroneous, slanderous, or offensive : Whose answer being reportit be ane brother of thair Session, That they had heard nothing spoken be him therin, that was either erroneous, slanderous, or offensive, bot good and sound doctrine, quherof they desyrit the approbation of the haill Kirk conveynit : The haill Assemblie, voteing particularlie in this matter, but any contradictioun, declarit, That they nor nane of them fand or finds any fault in the said fermoun, nothing spokin therin that conteinit either error, slander, or just offence, bot solid, good and true doctrine ; praising therin God, and justifieing thair brother of that accusatioun quherwith he is chargeit.

#### Sessio 19<sup>a</sup>.

Anent the iurisdiction of the Commissariat of Edinburgh, and quherin they middle with the iurisdiction of the Kirk : Seeing the matter hes takin some reasoning betuixt the [same] brethren appointit and the [same] Commissars, and farther reasoning get requyrit, the Kirk ordaines Mrs David Lindsay, Robert Pont, James Lowfone, with the Pryour of Pittenweime, to travell in the conference of this matter, and also vpon the particular of Barbara Keith, with such diligence as is possible, and to draw the reasoning to some point, quherof the Kirk may be informed at the next Assemblie.

[The same day compeired James Chisholme, Master Household to the Kings Majestie, and, in his Hienes name, desiring the Assemblie to continue all further proceeding against Mr Robert Montgomerie while three

or four of the Kirk should confer with the Counſel, at what time the Affembly ſhould think good; not that his Maieſtie wes to trouble any good order of the Kirk, but that it might be done be their favour and good will: To the which deſire the Affembly promiſed to give anſwer be their brethren which they ſhould direct to that effect, and ordeaned Mr Thomas Smetone, Mr David Lindſey, Mr James Lawſon, Mr Andrew Melvil, Mr Alexander Arbuthnet, to paſs to his Maieſtie at afternoone, to give anſwer, in name of the Affembly, that they condeſcend to delay proceeding againſt the ſaid Mr Robert, with the conditions following, viz., That Mr Robert Montgomerie ſhould no wayes attempt farder concerning the acceptatione of the Biſhoprick of Glaſgow; and that his Maieſtie will not trouble nor uſe farder proceſs againſt any of the brethren for his admiſſione; and laſt, that the liberty of the Kirk be not prejudged, but the judgment of the ſaid Mr Robert and his cauſe to pertain unto them; farder, if conference ſhall be required, to reaſon and conferr hereanent, and to report again to the Affembly. Attour appoints the ſaid Mr David and John Durie to communicat to his Grace the great feeds and diſorder in all the countrie, and to deſire order to be put thereto; as alſwa concurrence of ſome of his Commiſſioners with ſuch as the Affembly will deput on their part, to treat amity and reconciliatione betwixt parties. C.]

#### Sefſio 20<sup>a</sup>.

The brethren ſent to the Kings Maieſtie with the articles of accuſatioun givin in agains Mr Robert Montgomerie, returnit his Maieſties anſuer; That he had receivit them verie thankfullie, and was content that the accuſatioun had proceedit againſt him as Miniſter: farther, that, in the heids of religioun, he aggried from his heart with the Kirk of Scotland; albeit in ſome heids of the Policie he was not git reſolvit: [attour as concerning the proviſione of the Miniſtrie, he ſhould hold hand thereto. C.]

The Generall Affembly gives thair full power and commiſſioun to thair Right Honorable and lovit brether, the Laird of Braid, Andro Ker of Fawdounfyde, Mr Thomas Craig, Advocat, and John Johnſton, Commiſſioners for Edenburgh, the Proveſt of Dundee, Alexander Scrymgeour ther, Alexander Rutherford, Commiſſioner of Aberdeine, Henry Adamſone, Commiſſioner of Perth, Robert Lichtoun, Commiſſioner of Mon-

trois, the Minifters of the Kings houfe, the Minifters of Edenburgh, Mrs Robert Pont, David Lindefay, Andro Hay, Andro Melvill, Thomas Smeitoun, Patrick Adamfone, George Hay, David Fergufone, Adame Johnftoun, James Carmichaell, Johnne Brand, or any aught of them, to prefent, [with all due reverence and fubmiffiounne,] to the Lords of the Articles of the Parliament, fuch heids, articles and fupplicatiouns as are givin to them be the Kirk ; [humbly requiring, in the name of the Affembly, the famine to be confidered, and laws and conftitutions to pafs thereupon ; and, to this effect, to travail effectuouslie with the Kings Majeftie, Eftates and Lords forefaids, and to treat, reafon, and conferr thereupon, if neid be ; as alfo, if it fhall pleafe his Majeftie to appoint any reafoning concerning the heids of the Policie, betwixt and the nixt Affembly, to difpute, reafon, treat and conferr thereupon, if neid be, in name of the Affembly, with fuch as his Hienes fhall name to that effect ; and what herein fhall be proceeded, to report again to the nixt Affembly : firme and ftable holding and for to hold what their faid brethren in the premifes, or any eight of them, leads to be done.

According to the Act of the Affembly made before noone, compeired Mr Andrew Polwart, and fhew he had fummoned Mr Robert Montgomerie at the houfe of William Montgomerie in this towne, where he lodges, where he left a copy, becaufe he could not apprehend him perfonally ; and fought him in the Abbey, and could not apprehend him. C.]

The Kirk ordainit Mr Andro Melvill to produce his witneffes in his accusation againft Mr Robert Montgomerie ; quho instantlie producit Mr Robert Darroch, Minifter at Drume, Mr David Weymis, John Craig, Patrick Adamfone, Johnne Hewfone, Richart Wright, Thomas Buchannan, James Carmichaell. All thir witneffes being fworne and admittit, the Kirk, notheles, that the faid Mr Robert fould not thinke him defraudit of any laufull defence in his abfence, refervit any objectioun he hes aganis the perfons of the faids witneffes, in cace he come vpon Monday at ten houres ; and ordainit the faid Mr Robert, becaufe of his departing of this towne, to be instantlie examinat be David Fergufone, William Chriftelone, James Balfour, Johnne Porterfeild, the Laids Fawdounfyde and Careltoun, Mr Paul Frafer, or any thrie of them ; and his depolitioun to be put in wryte, and reportit to the Affembly : and as for farther probatioun, if the faid Mr Andro will take any yther tyme, ordainit him to warne Mr Robert therto.



Sessio 21<sup>a</sup>.

Anent the provisioun of the Kirk of Sanct Androes of a Pastour : The Kirk hes thocht it meitt that the Pryour and towne of Sanct Androes nominat ane of the brether quhom they have best lyking of, to serve the cure, and to propone him vnto the Ministers of the Kings House, the Ministers of Edinburgh, Mrs David Lindefay, Johne Brand, Adame Johnstoun, David Fergusone, Andro Melvill, William Christefone, the Lairds of Braid, Pilrige, Lundie, and Colluthie ; to quhom, or any aucht of them, the Kirk gives commissioun to give assent in thair name thereto, and to place him ther ; provydeing they find no lawfull impediment that may stay the placing ther, or that they be not of ane of the Colledges quhom the Kirk exeimis for consideratiouns therfrom : And sicklyke, that, with thair advyce, the Minister presentit may be sufficiëntlie provydit ; as als his Kirk, querfrom he is takin, be also staikit.

Sessio 22<sup>a</sup>.

Ordaines a supplicatioun to be made to the Kings Majestie and Lords of the Articles, That no Acts be past in Parliament, repugnant to the true Word of God, and namelie concerning Bischops, with sharp admonitiouns therin, to be pennit be Mrs Thomas Smeitoun and Andro Melvill ; and the same to be presentit with the Articles the morne, at aucht houres, be Mrs James Lowfone, Andro Melvill, Andro Hay, David Lindfay, Thomas Smeitoun and Johne Brand.

[Anent the Elderhips of Dalkeith and Melrose already established : The Kirk approves the same. C.]

Sessio 23<sup>a</sup>.

The Assemblie gives full power and commissioun to [their brethren of] the Presbyterie of Striveling to summond Mr Robert Montgomerie, Minister ther, befor them, and to try and examine his lyfe and conversatioun, and accusatiouns [to be] givin in theranent, with all [good and] possible dili-



gence ; and quhat they find therein, to report to the nixt Synodall Affemblie of Lauthiane, to quhom the Affemblie gives power to proceed against him, according to the tryall and procefs deduceit befor the said Presbyterie, vnder the paine of difobedience : Sicklyke, charges the said Mr Robert to continue in the ministrie of the Kirk of Striveling, and not to middle with any vther office or function in the Kirk, namely, in aspyring [or attempting] to the Bischoprick of Glasgow, aganis the Word of God and actis of the Kirk, or [to trouble or] vexe any of his brether to admitt him thereto, vnder the paine of excommunicatioun to be layit against him : quhervnto if he diffobey, after tryall takin of his diffobedience be the said Presbyterie, the sentence of excommunication to be execute against him be them, with advyce and concurrence of Johne Durie, David Fergusone, Johne Duncanson, and Johne Dykis ; and this charge to be intimat be the Moderatour of the Affemblie to the said Mr Robert, that he pretend no ignorance thereof.

[The brethren appointed to pen the supplicatione to the Kings Majestie and Lords of Articles, presented the same to the Affemblie : Being publickly red and allowit, were thoght good to be given in. Immediately the brethren were direct to present the same, with the articles : The tenour quherof is not sett downe in the originall. C. & B.]

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A. D. M.D.LXXXII.

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THE Generall Affemblie conveynit at Sanct Androes in the New Colledge Schooles, the 24 of Apryle 1582: Quher ther was present Commiffioners.

Sellio 1<sup>a</sup>.

[Exhortatioun beand made be Mr John Craig: Leits, Mrs Andro Melvill, David Lindfay, David Fergusone. The said Mr Andro, be pluralitie of votis, was cholin Moderatour hac vice; who, for expeditioun of matters to be handled in this Affemblie, desired certane brethren to be nominat Assellours, to convene with him at extraordinar hours, to break up matters to be proponed to the whole brethren, without prejudice any wise to the libertie of this Affemblie. At his desire were nominat Mr Johne Craig, Mr James Lowfone, Mr Andro Hay, Mr David Lindfay, Mr Robert Pont, Mr Thomas Smeitoun, Mr Andro Polwart, Mr Thomas Buchannan, Mr Patrick Adamfone, my Lord Rector, the Lairds of Lundie, Merchinfoun, Braid, Pilrige, Elphinstoun, Kynninmonth, Johne Johnstoun, Commiffioner of Edinburgh, to convene daylie, at seven hours in the morning, and two after noone, and so continue during this Affemblie. C. & B.]

Sessio 2<sup>a</sup>.

[Anent the constitutione of the Presbyteries which were committed to certane brethren in the last Assemblie: To the effect the brethren might understand what diligence hath been used in the erectione of the Elderships, the names of the persons having commiſſione therto were read, and they being called, so many as were present, made their report as follows:

Mr Alexander Arbuthnet, being one of the brethren named to the constitutione of the Elderships in Aberdeen and Bamf, declared, That they had entered to the consideratione of the bounds where Presbyteries might most conveniently be had, and had drawn as it were the lineaments of their labour; but as yet had not perfected the same.

For Merns: Patrick Bonkle answered, They had erected there a Presbytrie of Ministers, but not as yet of any Gentlemen or Elders.

For Angus: William Christefone reported, That there was ane Eldership erected in Montrose, another in Brechin, the third in Dundee, but not long since; and therefore as yet they had holden no Assemblie.

And for Perth, Stratherne, Dunkeld: Answered, They were erected. C.]

[Anent Falkland: Because of the raritie of Ministers, there being there but thrie, quhair of ane was found slanderous, it was answered, That the brethren could establish no Eldership ther; bot they thought meittest, quhill God increase the number of preachers ther, that thair resort should be to Sanct Androes, if the Assemblie thocht it expedient.

The Assemblie, willing that the Kirk there be not destitute of discipline and good order, ordaines these of Falkland Eldership, be west Levin, to resort to Dumfermling, and to be under the Eldership thereof; and these that are be east, to Sanct Androes, unto the tyme it please God to give commoditie of Ministers and Elders, that they may have their awin Eldership.

For Sanct Androes: It was reported, That ane Eldership is begun already, of Pastours and Teachers, bot not of these that hes not the cure of teaching. C. & B.]

[For Linlithgow and Tweddail: It was answered, Erected.

For Jedburgh: Not erected.

As to Kyle, Carriſt, Cunninghame: Mr John Young reported two Eldershups to be eſtabliſhed, one in Irvine, and another in Air; but in Carriſt, none throughly erected.

None were preſent to declare what was done in Cathnes, Roſs, Sutherland, or Murrey.

### Sellio 3<sup>a</sup>.

Anent the doubts and articles given in be certane brethren, concerning the matter of Preſbyteries: The Aſſembly appointed their brethren, Mr John Craig, Mr Robert Pont, Mr James Lowſone, and Mr Patrick Adamſon, to fight the ſame, and give their judgment thereupon to the whole Aſſembly. C.]

Forſameikle as notwithstanding of diſerſe godly acts and proclamatiouns ſett out be the Kings Maieſtie, as acts and conſtitutions made be the Kirk, againſt Papiſts reſorting within the Countrey from beyond ſea; yet, from tyme to tyme, ther arryves ſindrie profeſſing plaine papiſtrie, be moyen of the maiſters and owners of ſchips receiving them in their veſchells, and tranſporting them in thir parts, vnknowin either to Magiſtrat or Kirk; quherthrow no juſt tryall could be had of them: For remeid therof, the hail Kirk hes vottit and thocht meitt, That, in tyme comeing, all maſters and owners of ſchips, arryveing within quhatſomevir port of this realm, ſtrangers and paſſingers, ſhall, immediatlie after thair arryval, preſent thair names to the Magiſtrate and Seſſioun of the Kirk of the townes and ports quher they arryve, to the effect that the knowledge may be had if they have inbrocht any papiſts, vnder the paine of excommunication and cenſures of the Kirk to be execute againſt them; and this act publicklye to be intimate be the Miniſters of the ſaids townes and ports, to the effect that no ignorance be pretendit heiroy: And ſicklyke, that ſupplication be made to the Magiſtrats of the ſaids townes and ports, That they will give charge and commandment to all maſters and owners of ſhips within thair bounds, that they receive no papiſts within thair ſhips or veſchells, to tranſport to this country; and in cace any be receivit, to preſent thair names immediatlie after thair arryvall to the ſaids Magiſtrates and Kirk, that ordour may be takin with them, vnder ſuch ſtraite paines and acts as

they can best devyfe; as they will declare themſelves zealous of Gods glorie, and promoters of the Word of his Sonne Jefus Chryft.

Seffio 4<sup>a</sup>.

The Kirk ordaines the Elderſchip of Dumfermling to call befor them Robert Aittoun of Incheberuy, [Inchderny?] to give confeſſioun of his faith; and if he refuſes, to proceed againſt him according to the Kings proclamatioun and acts of the Kirk.

Forſameikle as the Kirk vnderſtands, that ther is certaine papifts in Camphire, that not only troubles the congregatioun of the Scottiſh natioun, but alſo the Fleimings; and will not ſubmitt themſelves to the cenſures of the Kirk, be reaſon of thair alledgit power: heirfor the hail Kirk of Scotland, in ane voyce, gives thair full power and commiſſioun to the Miniſter of Camphire, to proceed againſt them, as they might doe therin themſelves, requieſſing alſo the Conſervatour to hald hand vnto the Kirk, that ordour may be had againſt them.

[Anent the ordinance made in the laſt Aſſembly, concerning the executione of the Kings Majeſties proclamatioun againſt papifts, and namely againſt the Maſter of Gray: The Aſſembly, after informatione of the brethren of Edinaburgh, how far they had proceed with him there, and of his offer to ſubſcribe the Confeſſione of his faith, which they would not receive before he had particiſat of the Supper of the Lord, which he alſo promiſed, and be his letter lately renewed to Mr James Lawſone, ordeanes as before, the commiſſione given to the Elderſhip of Dundee concerning him, to be put in executione in all points be them, according to the tenor therof, with all convenient diligence.

Anent the Lady Athol: The Aſſembly ordeanes, underſtanding the great travels taken with her, Mr William Glaſs to proceed to the cenſures of the Kirk againſt her, in caſe ſhe gave not new obedience, prayers preceeding three ſeverall Sabboths, under the pain of deprivatione of the ſaid Mr William from his office and functioun in the miniſtry; and ſicklyke, to charge her to remove from her company all excommunicat perſons and papifts. And, generally, as to other papifts within the realme: Seeing ſmall diligence uſed be the whole brethren, in executione of the act foreſaid, the Aſſembly yet, in the name of God, charges all Elderſhips,

where they are already established, and all Ministers, where Elderships are not yet erected, to proceed against them, conforme to the Kings proclamatione and acts of the Kirk, as the said Elderships will answer to God, the Kings Majestie, and the Kirk, and the saids Ministers, under the pains conteained in the act made of before.

For answering the bills : The Assemblie hath nominat their brethren, Mr Adam Johnstoune, Mr James Carnichel, Mr Nicol Dagleith, Mr James Balfour, Mr James Melvil, Patrick Gilespie, and John Johnstoune, to conveene, at six hours in the morning, in the Assemblie place to that effect. C.]

Sessio 5<sup>a</sup>.

[Compeired Mr Mark Ker, my Lord of Requeists, directed from the Kings Hienes with his letter, and a certane Conference which was had in Edinburgh, betwixt certaine of the Counfel and of the Kirk, and desired answer therto in write, conforme to his Majesties writing : which being read with the said Articles and Conference, the brethren continued to give answer thereto, till the fighting thereof, and advising therewith afternoone. C. & B.]

[Followeth the Tenour of his Graces Letter.

Traift Friends, We greet you heartily. Ye remember, in our late Parliament, there is ane act past, anent the provisiōne of Ministers, and certaine stipends for them, at all parish Kirks, and appointing Commissioners for ordering thereof ; as also some of the articles given in be the Ministrie, and committed to the consideratione and order of certaine Commissioners nominat be our act of Parliament : And finding it needfull, that the said acts should have executione, and that, if it were not done in due time, the order could not take effect the next year, but continue in the state present, to the great miscontentment of many, We convened some of your number lately at Edinburgh, and caused certane of our Counfel confer with them for the better understanding of our meaning, and that yee all might be the better certified thereof, at this your Assemblie, wherethrough the work in-

tended might proceed, and take effect at the first day of November nixt, to the removing of the present disorder and confusione, and satisfactiōne of all persons having intres, as accords of equitie and reason, as be the summe of that whereupon they conferred, we doubt not yee have understand; the copy whereof We have also delivered to this bearer, touching the making of a new forme of that Allignatiōne for the Ministrie, which shall take effect at the first day of November. Albeit large pains have been taken thereanent; yet can it not be put in such order as were seemly to be divulgate, while certain of the advices, and answers of your brethren yet wanting, be returned, as, namely, from Cathness, Elgine, Bamf, Kincairden, and bounds adjacent to Strabogie, Dunkeld, Creif, Falkland, Edinburgh, Dalkeith, Haddintoun, Dunc, Kelfo, Melrose, Peebles, Biggar, Lanerk, Glasgow, Dumbarton, Irving, Mynniboile, Dumfries, Penpont, Lochmabben, and Annand; and also, while it be resolved from the Assemblie, what is thought meet, and concluded, anent the Readers in generall; and, specially, anent Viccarages that are given and provided to Readers for their lifetime; and, last, touching the inequalitye of Stipends, some having victual allowed at a small price, and others, of the money assigned, constrained to buy the victual at the highest prices: Which points with the other conferred upon, being once specially considered, the form of Allignatiōne for the next year, may be made the meikle more easily; and the Articles referred be the estates to the Commissioners, answered, and made in Laws, as appearteneth. Whereanent looking for your certaine and direct resolutione at this time, wherethrough the work may proceed how soon conveniently may be, commits you in the protectione of God.

At Stirlin, the 16 day of Aprile 1582.

Sic Subscribitur

James R. C.]

[The tenour of the] Articles from his Majestie.

1. Quither thinke ye that all benefices vnder Prelacies, newlie provydit since the Kings coronatioun, shold pay any thrid, or no thrid.
2. If some shold pay thrid, and some none, What shold be the difference [and distinctiōne.]
3. Shold not all benefices presentit to Ministers and Reiddars before the



first day of November 1581, be allowit in thair zeirs stipends from the same day to the first day of November 1582; and if ze think that ther falbe any difference [or distiñtione] be reason of the annat, or vther-ways, that ye declare it.

4. Sould not all persons presentit and admittit to the benefices in this time, be placeit in the booke of Modificationn, as Ministers or Reidars [to] the Kirks belangand to the same benefices.

5. Aught such, being Ministers, as hes sufficient ecclesiasticall livings of thair awin, be reason of benefices quhervnto they are provydit for thair lyfetyes, take stipends to serve at vther kirks.

6. Think ze it not convenient, That the reports answering the Kings Majesties letter, send over all this realme, [this last summer,] falbe sein and confidderit at this tyme, for the better understanding of the estate of the Kirks, and to sie how many of the same reports are in in your awin hand; for so many as the Clerk Register hes, falbe ready and patent.

7. That ze let us understand, Quhat ze have thocht meitt and concludit anent the Reidars in generall, and speciallie, Reidars that are presentit to Vicarages for thair lyfetyes.

8. Think ze it reason, That any provydit to the title of a benefice, and serving as minister and reidar at the onlie kirk belonging to the same benefice, fall have any maner of allowance or stipend nor the rent of the selfe same benefice.

9. Quhat thinke ze most ready and possible [moyen] to sustaine [the Minister of] the Colledge Kirks.

10. To quhom think ze the Kings Majestie and the lawit patrons sould direct their presentations, for admitting of qualified persons to the benefices that vaikes be the deceife of such persons as possess them; and that ze will name the persons in speciall.

11. Seing the dearth of victuall makes great inequalitye of stipends, some having victuall allowit for a merk or xx shillings, and vthers, of that silver consignit to them, constraint to buy at 5 or 6, or sometymes 7 marks the boll; Were it not aggrieable to equitie, that all ministers had thair proportionable part of victuall and of money; or els that the victuall sould be fauld and allowit at the hiest pryce, quherthrow such as hes small stipends may be the better augmented.

### Anfuers to the saids Articles.

To the first and second: Befor they be speciallie anfuertit, it is thocht meitest, that ther be ane forme of assignatioun made be some [to be] ap-  
poyntit therto, betuixt and the nixt Assemblie, to all Kirks and Ministers  
that are lickly [and apparent] to stand and continue, respectand the  
anfuers and advyce sent out of every countrey, and as if the present  
posseffours were dead; and that charges be directit to such as hes not sent  
thair anfuers, to send them with expeditioun.

3. It is thocht meitest that the intrant to any benefice fall entir and  
serve the cure [of the kirk] therof, at the nixt first day of November after  
his admissioun, at [the least] the nixt Whitsonday, and fall have no farther  
stipend for this geir, but the taxt and superplus, as it falls; because his  
executours will fall als mikle at his deceise, according to the ancient ordour  
of the annats: And that diligence be done to get [Bagemondis] rollis of all  
benefices taxt; and quibatever benefices are not taxed, the rents therof  
the first geir to be divydit equallie betuixt the executours of the defunct  
and the intrant; quihilk intrant fall only have the halfe frutes of the  
geir of intrancie, and sicklyke of the stipends.

4. We think nane sould be placit in the book of Modificatioun bot  
worthie and qualified persons; and if any be presentit or admittit to  
benefices since the Kings coronatioun, that are vnworthie and vnabill [to  
discharge their duty,] that they be callit, and depriyvit be such ordour as  
salbe heirafter condiscendit vpon.

5. For the generall, we think that such, being ministers, as hes sufficient  
livings of thair awin, be reason of benefices quhervnto they are provydit  
for thair lyfetyms, sould not take stipends to serve at vther kirks, without  
great necessitie sein and allowit be the Generall Assemblie; and vpon the  
speciall knowledge of the persons that are not abill in this heid, ordour  
salbe takin to reforme [them] as appertaineth.

6. We think this is most necessar, and aggreeable to that quhilk is ap-  
pointed in the anfuers to the first and second articles.

7. This article salbe speciallie anfuertit, how soone it may be advysit be  
the Generall Assemblie.

8. Vpon the sight of the forme of the particular assignatioun to be made,  
and quhat particular causes fall fall vnder this rule, we fall give our speciall

anfuer heirvnto, quhilk is coincident, and will depend vpon the anfuer [to be made] to the first and fecond articles.

9. We cannot bot think it reasonabill, that the Colledge Kirks be als weill provydit of Minifters as vther kirks; and thinks, that, in making [of the forme] of new affignatioun for the nixt zeir, the Minifters of the kirks of the Colledgis, fould be affignit for his flipend vpon the fruites of the fame kirk, as meikle to be affignit to the help of the Colledges vtherwayes; or then the Colledgis to have the rents of the Kirk as befor, and the Minifter to have his affignation vtherwayes.

10. The prefentatioun to be direct to the Commiffioners of the Kirk within whole bounds the benefice lyis.

11. This matter is weghtie, and tuitches many, and cannot be weill anfuerit be vs, without the advyce of the [whole] Affemblic, to quhom it falbe proponit, and thereafter refolute anfuer givin.

As the examinatioun and admiffioun of Minifters within the realme, is, be aët of Parliament, ordainit to be in the power of the Kirk now oppinly and publickly profest within this realm; fo it is thought, that the deprivation of Minifters is in the power of the fame Kirk, and them that examinats and admitts them Minifters.

Towards the deprivation of Bifchops admittit fince the Kings coronatioun: It is thocht meitt that the fame be lykewayes in the power of the Kirk, and them that examines, eleëts, and admitts Bifchops; and the fame deprivation afweill to extend from the funëtioun of the miniftrie as from the benefice it felfe and fruits therof, quherthrow the fame may be declairit vackand, [and to be prefentit] and conferrit of new, as if he were prefentlie dead.

Caufes of deprivation we take to be, herefie, papiftrie, comoun blafphemie, perjurie, adulterie, fornication, inceft, flaughter, thift, comoun oppreffion, [comoun] drunkennes, vfurie againft the lawis of this realme, nonrefidence and abfence from his flock [and office] be the fpace of fourtie dayes together in a zeir, without lawfull impediment allowit be the nixt Generall Affemblic; pluralitie of benefices provydit fen the Kings coronatioun, to be caufe of deprivation from them all, except ane that the poffeffours will astrict themfelves to make refidence at; dilapidatioun of the rents of benefices contrair to the aët of Parliament; fimonie. For the forme of proceffe in deprivation, Ane libellat precept on xl dayes warning being within the realme, and within lx dayes being without the

realme, to be direct be the Kirk and such Commissioners therof, as elects and admitts the person complainit on, sumounding him to compeir and anfuwer vpon the complaint; and, in case of his absence at the first sumoundings, the second to be direct on like warning, with certificatioun and he sailgie, the lybell falbe admittit to probatioun, and the samein falbe haldin pro confesso. After the decreit givin, if the person, against quhom it is givin, think himselfe wrangoullie greivit therby, it falbe leifum to him to interpone appellation to the next Generall Assemblie, and intimate the same within ten dayis, vtherwayes the decreit to receive present executioun.

Sessio 6<sup>a</sup>.

Anent the questioun movit to the Assemblie, If the Generall Kirk hes power to revoek quhatsoever things done be them, or any particular member of the same, to the hurt and prejudice of the Kirk, or not: The brethren, after reasoning and disputing in the matter, at length vottit affirmativé in the questioun, That the Kirk hes power to doe the same.

Anent the sumounds [of citatioun] raisit to this day be the Elderschip of Striveling, against Mr Robert Montgomerie, sometymes Minister therof, to heare the sentence of suspensio givin [be them] against him fra the functioun of the ministrie allowit be the Generall Assemblie; and farther tryall tane concerning his lyfe, doctrine, and manners, and vther things quhilk the said Assemblie fould lay to his charge, as the [citatioun and] sumounds [in the matter] at lenth beares: The said Mr Robert being present, and requyrit to anfuwer heirto, befor all protestit, that, if the Kirk proceidit in any thing against him, or charge him with any thing without warrand of the Word of God, for remeid and anfuwer to the sumounds, alledged that the Generall Kirk fould not allow any thing deduceit in the said processe; because he was never laifullie sumounded therto; knew nothing of his suspensioun from the ministrie, but [be] only brute, nor nevir was the samein intimat to him; and in so farre as the processe bears personall intinatioun to him of the said suspensioun, tooke instrument thervpon, and offerit to improve the samein in that point: With all the quhilk alledgances, the Kirk and brether being weil advysit, notwithstanding therof, Finds the said processe, decreit, and intinatioun therof, ordourly deduceit and proceidit, and the

saïd sentence of suspensioun well proceedit and givin ; reserving nottheles to the saïd Mr Robert, in the second instance, to sute reducioun and remeid, as appertaineth. Being farther accuseit of contraventioun of the saïd sentence of suspensioun, be preaching of the Word, and ministratioun of the sacraments, befor the intimatioun therof, he grantit the same, bot pretendit ignorance of the giving of the saïd sentence.

Befor farther reasoning in this matter, my Lord of Requeists presentit [to the Kirk] a wryting sent from the Kings Majestie vnto them, to declare that his Majesties will was, That the Kirk shold not trouble the saïd Mr Robert for any thing concerning the Bischoprick, or that may result therevpon, or for any vther cause bygane committit be him ; but that it might be handlit befor his Grace. Quhilk being reverentlie receivit and red in opin Assemblie, the brethren praisit God that moveit the Kings Hienes to send his Commissioner to the Assemblie : and as to the actioun present, with the assistance of God, such attendance shold be givin therto, [the rather,] for his Hienes request, That nothing shold be handlit belonging to the Civill Power ; and nothing but vprightly, sincerely, and with the just judgement pronouncit against him, as they shold answer to God and his Hienes.

#### Sessio 7<sup>a</sup>.

Heirafter a plaine and large discourse was oppinly made of the hail diligence of the brether, to quhom commissioun was givin in the last Assemblie, concerning the saïd Mr Robert ; and the copies of the charges givin to them at his instance, produceit, declaring and bearing effectuoullie, witnessing of his knowledge of the saïd suspensioun, albeit he [plainly] protestit befor God, he never knew of the raising of any of the saïds charges or executiouns therof ; with the quhilk discourse and confessioun of the saïd Mr Robert, that he had preachit and ministrat the sacraments sen the saïd decreit of suspensioun : The Kirk being advyseit, in ane voyce, after voteing, Fand the saïd decreit and sentence contraveinit [and violat] be him ; and superseidit to discerne vpon the paine of the saïd contraventioun, quhill the morne at the brether first conveying.

The saïd Mr Robert demandit the answer of the hail Kirk, If they wold accuse him vpon any thing concerning the Bischoprick, or any thing resultand therevpon : 2. That he might have the copie of the large discourse

made verballie be the brethren, to the effect he might anfuer fimplie to every point therof.

Being removeit out of the Affemblie, within a little fpace thereafter compeirit Johne Burne, meffenger, and be vertue of our Sovereine Lords letters, delyverit be the Lords of Secreit Counfell, inhibite and difchargeit the brethren of the Generall Affemblie, the Moderatour and his Affeffours, fra directing of any citations aganis Mr Robert Montgomerie, as is therin conteinit, vſing of excommunication, innovatioun, flandering or troubling of him in his miniſtrie, for aſpyring to the Biſhoprick of Glaſgow, or calling or perſewing of his brether for the ſame, or for any promiſe made be them theranent, or any vther thing dependand therevpon, in tyme bygane, vnder the paine of rebellioun, and putting of them to the horne; certifie and them and they failzie, he wald denunce them our Sovereine Lords rebels, and put them to his Hienes horne: of the quhilk charge he delyverit infantlie a copie quhilk he ſubſcryvit with his awin hand.

The ſaid Mr Robert being callit, and being abſent, the brether ordainit Mr Thomas M<sup>c</sup>gie to warne him to the morne.

Anent the age of perſons that ſhall heirafter entir in the miniſtrie of the Word: Seing that fundrie hes bein intruſtit vpon the Kirk, and entrit to benefices having cure, that be reaſon of thair yong zeirs, and lake of experience and judgement, cannot be able to diſcharge that hie and ſacred vocation, quhervnto they are called, The Kirk, in ane mynd, hes vottit and concludit, That, in tyme comeing, none be admittit to the function of the miniſtrie, nor collationat, nor admittit to any benefice of cure, without they be of the age of xxv zeirs, except ſuch that for ſingular and rare qualities into them, ſalbe judgeit be the Generall Affemblie of the Kirk meitt and worthie therfor.

#### Seſſio 8<sup>a</sup>.

Anent the ordinance made yeſternight concerning the ſumouning of Mr Robert Montgomerie, to compeir [perſonaly] befor the Affemblie this day at ten houres: The ſaid Mr Robert being callit, and not compeirand, but be William Montgomerie his Allegit Procuratour, quho produceit ane appellatioun, quherof the tenour will heirafter appeare.

Compeirit Mr Thomas M<sup>c</sup>gie, and declarit, That, at the command of



the Assemblie, he warnit him gesternight to compeir at this houre, befor the haill Kirk, personallie, in presence of Mrs Walter Hay, Johne Cowper and Andro Ker, and that he promised to compeir personallie at the houre appointit, quhilk the saids brethren and witneses testified to be true.

Heirafter was certaine speciall and enorme crymes produceit and red, quherof he was alledeit to be guiltie, [which are thir :] 1. Negligence [in doctrine,] and corruptioun in doctrine also, dissolutioun in lyfe, for the quhilk he was suspensit ; contraveining of the suspensioun in Glasgou, Striveling, and in the Kings awin Chappell ; violating of his [own] promise made to the Presbyterie of Striveling, that he should remaine and waite vpon his cure ; horrible lies in the face of the haill Assemblie, denying, with protestatiouns befor God, the intimatioun of the suspensioun, and raising and executing of the letters ; procuring of letters be sinister informatioun, for overthrowing the discipline of the Kirk ; vsurping another mans flock, accompanied with armed men, since the suspensioun ; chargeing the haill Assemblie, vnder the paine of horning, to stay from all proceeding against him with excommunicatioun ; blasphemous railing against [the brether and] the Ministrie in pulpit, sen his suspensioun, and [oft] befor ; and, in summa, manifest contempt of the ordinance of the Kirk, and stirring vp of ane feareful schisme betuixt certaine of the Nobilitie and the Kirk : Quhilk being tryit, [and put to examinatione,] partlie be his awin confessioun, partlie be the proces deduceit be the Generall Assemblie holdin last in Edenburgh, and be the proceffe deduceit befor the Elderschip of Striveling, and partlie be the testificatioun of good and godlie brether of the Assemblie, were found all to have fallin in his person, and him to be culpabill and guiltie therof. For the quhilks most haynous, foule, and vnworthie crymes, the Assemblie of the brether votitt and concludit, The said Mr Robert, not only to be vnworthie to serve in the office of the Ministrie, bot to be depriyvit therof perpetuallie, in all tyme comeing ; and the sentence of excommunicatioun to strike aganis him, without he prevent the same be repentance.

My Lord of Requeists craeit of the Kirk, That the pronouncing of the said sentence should be superseidit quhill the Kings Majestie were advertised. The Kirk heirto continued to give answer quhill [their meeting at] afternoone.



Sessio 9<sup>a</sup>.

The letter wrytin to the Kings Majestie, in name of the haill Kirk, being red, was thocht good to be delyvered to my Lord of Requeists, quherof the tenour followes :

Please your Majestie, We have received your Graces most loving letter direct to vs be your Graces Commisioner, Mr Mark Ker, Master of Requeists, and are compellit to burst out with most humble thanks vnto God, quho of his mercie hes gevin vs so godly a King, carefull and weill willing that God be glorified, and his Kirk, within your Majesties realme, maintained, as plainlie [appeareth] be the articles be your Grace proponit ; quhervnto with all diligence we began to make ansuer : But in such shortnes of tyme, and great straites quhervnto we are brocht be certaine letters raisit at the instance of Mr Robert Montgomerie, we are altogether flayit in that and many vther godlie actiouns ; for vpon the 27 day of this instant, the Assemblie being occupied in quyet and modest reasoning of grave and weglitie matters, he causit ane officiar of armes irreverentlie to entir, and, vnder the paine of horning, command the haill Kirk from all proceeding against him, for quhatsoever cause or enormitie committit in these his wicked attempts ; a thing that was never heard nor sein since the world began, quherof we man lament to your Grace : And having no vther refuge vnder God, most humbly craves, That, [be] thir extraordinary charges direct aganis the Word of God and lawis of your Graces countrey, we be not constrainit to betray the cause of God, be bearing with and winking at horrible crymes, manifest to all men in the person of the said Mr Robert, or els to be repute and accountit disobedient to your Majestie, in whose service we have bein, are, and salbe readie to shed our bloods, and spend our lyves ; besekand your Grace, we may find this grace and favour in your Majesties sight, to keip our conscience cleane befor God, and reserve our faules to him quho hes givin vs care of the faules of his inheritance. This most reasonable request we doubt not to obtaine of your Majestie, our particular reasons being heard and considerit, quhilk we mynd, be Gods grace, more largelie to expone be certaine brether direct to your Majestie, both for this effect, and with a full answier to your forsaids articles. In the meane season, we besek your Majestie [to] give no

credit to the sinister report and wrangous informatioun of men, that, be such dealing, goes about to draw your Majesties heart from your true and faithfull subiects, and, be this unhappie schifme, to overthrow the Kirk of God within your Graces countrey, and, for thair awin particular gaines, banisch Christ and his Word, quhilk God of his infinite mercie forbid, and preserve your Grace, soule and bodie, for evir.

Sanct Androes, 28 of Apryle 1582.

As to the sentence to be givin against Mr Robert Montgomerie, and the enormities conteinit in the acts preceeding: The Assemblie and brether present, after voteing in the said matter, depyrit the said Mr Robert from all functioun of the Ministrie in the Kirk of God, dureing the will of the Kirk of God; and, farther, descernit the fearefull sentence of excommunication to be pronuncit against him in the face of the hail Assemblie, be the voyce and mouth of the Moderatour present; to the effect, that, his proud flesh being cast into the hands of Satan, he may be win againe, if it be possible, to God; and the said sentence [to] be intimat be every particular minister, at his awin particular Kirk, solemnelie in the first fermoun to be made be them, after thair returning.

The instant pronouncioun of the said sentence beand stayit, be the voyce of the said Moderatour, quhill Monday at nyne houres, be reason of the compeirance of the said Mr Robert, quho renuncit the appellatioun interponit be his Procuratour in his name, and be himselfe befor noone, from the sentence of the Kirk, [and] desyrit conference to be grantit to him of the most godly and learnit brether; quhilk the [Kirk] grantit quhill Monday at nyne houres, vpon condition he remained and waited vpon the [Exercise of the] doctrine and conference of the brether, [and made no novatione nor new charges against the Kirk; who promised to attend upon the doctrine and conference of the brethren] the morne all day: And as to novatioun or new charge, he sould [use and] purchase none, in the meane tyme, if the Kirk vsed nane against him. And farther the Assemblie ordainit prayers to be made the morne in the fermoun for him, be them that occupied the place for the time.

Sessio 11<sup>a</sup>.

Anent the conference had yesternight with Mr Robert Montgomery : To the effect the brether might vnderstand quhat fruit had followit therof, they demandit of him, in presence of God, to tell the simple trueth of the accusatiouns that were laid to his charge of befor : Quho, after prayer to God to be mercifull to him, grantit and confest as after followes :

1. He confest the command givin him be the Reidar at Striveling, to desist from his office.

2. Grantit baptizeing of bairnes gottin in fornicatioun ; bot tooke caution of the parents to satisfie the Kirk, bot not in presence of the Elders and Sessioun.

3. As to circumcisioun of women : Remembers not that ever he preached it.

4. Grants he made promise to the Presbytrie of Striveling to awaite on his charge of the Ministrie ther, quhilk he hes brokin.

5. He confest, That, vpon the 20 day of Marche last, he heard mentioun made of his suspensioun be the Presbyterie of Striveling ; bot he was not certaine therof, for he could not have the proces of his suspensioun.

6. Declarit, That howbeit he knew not the raising of many of the letters aganis the brether, yet he keipit the ordinarie dyatts therof.

7. Grants the vsurpatioun of Mr David Weymis flock, quherin he confesses he had heavilie offendit.

8. And sicklyke grants he hes heavilie failit against God and his Kirk, be procureing and raising of the charges against the Generall Assemblie ; and in accepting of the Bischoprick of Glasgou without advyce therof, and in proceeding be this forme of doing quhilk he hes vsed ; for the quhilk he submitts himselve to the will of the brethren, willing to abyde thair judgement, and to obey and vnderly such injunctiouns as they will ordeane therfor.

And as to his simple meaning concerning the estate of Bischops and corruptioun therof : Being requyrit oppinlie, in the feare of God and vprightnes of conscience, to declare the same, Desyrit to conferre with Mrs James Lowfone, Johne Craig, Robert Pont, David Lindesay [and] the Laird of Colluthie, to the effect he might be farder resolvit, and give his simple meaning therin to the Kirk ; quhervnto the hail Kirk agreeit.

Anent the protestatioun made be the Presbyteries of Edinburgh, Dalkeith, and Lynlithgow, aganis the sentence givin be the King and Secreit Counsell in favours of Mr Robert Montgomerie, findand them Judges to the saids Presbyteries and Kirk, as the same beares: The hail Kirk, after the reiding of the same sentence, and protestatioun, in ane voyce, adherit therto; lykeas the said Mr Robert, for his part, allowit the same, and adherit therto.

Sessio 12<sup>a</sup>.

In respect of many inconveniences and misfordour fallin furth be the ambitioun, covetousnes, and indirect dealing of fundrie, quho gangs about to entir in the Ministrie, and, being enterit, vles vnlawfull meanes to declyne all correctioun and punishment for thair offences: The hail Assemblie, with ane consent, hes vottit and concludit, conforme to the Word of God, and most godlie acts of Ancient Counsells, That no man pretend to ecclesiasticall functioun, office [promotioun] or benefice, be any absolute gift, collation, or admision of the Civill Magistrate or Patrone, be letters of homing, and quhatsoever vther meanes then is established be the Word of God, and acts of the Generall Kirk, and hitherto ordinarlie vsed within the reformed Kirk of Scotland; and sicklyke that nane beand received to ane ecclesiasticall office or benefice, seik any way, be the civill power, to exeime and withdraw themselves from the iurisdiction of the Kirk, nor procure, obtaine, or use any letters or charges, either be themselves, or any vthers in thair name, or at thair command or instance, to impare, hurt, or stay the said iurisdiction, discipline, correctioun of maners, or punishment for thair offences and enormities; nor to make any appellatioun from the Generall Assemblie, to stop the discipline and ordour of ecclesiasticall policie and iurisdiction granted be Gods Word to the office bearers within the said Kirk, vnder the paine of excommunicatioun, summarlie, and without any proces or admonitiouns, to be pronouncit be the judgement of the Elderschip, be Minister or Ministers, to be appointit be them therto, how soone it is knawin that any ane of the saids heids is transgress.

And this act no wayes to be prejudiciall to Laik patrones and thair

presentatiouns, vnto the tyme the lawes be reformed according to the Word of God.

Auent the conference with Mr Robert Montgomerie : The said Mr Robert compeirand, in the face of the haill Assemblie, declarit and promised befor God, That he sould neither meddle nor attempt farther concerning the Bischoprick of Glasgou, nor bruike, vse, nor take vpon him the same, or any office within the Kirk, by the advyse and consent of the Generall Assemblie of the Kirk ; renunceand the letters and charges givin to the Generall Assemblie at his instance, with the letters purchasid be him aganis Mr David Weymis ; protestiing that, in this matter concerning the Bischoprick of Glasgou, he meanes no vther wayes nor the haill brether does.

Forsameikle as the Sabbath day many wayes is profaned [and violated] to the great dishonour of God, and speciallie be halding of mercatts afweill in burgh as in landwart vpon that day : The Assemblie of the Kirk inioynes firaitlie to every Elderschip within thair awin bounds, to take ordour therwith as they may of the Law of God, as they will shew thair zeale towards God, and obedience to the Kirk.

[The Generall Assemblie ordeans the brethren of the Presbytrie of Glasgou to trie and examine diligently, if Mr Robert Montgomrie any wise medles with the Bischoprick of Glasgou, or proceeds further in using thereof, agaisnt his promise made openly in publick Assemblie ; and if they find him to meddle therewith any wise, to discern him to have contraveened the act of the Assemblie and his promise, and to report their proces and decree thereupon to the Eldership of Edinburgh, to whom the Assemblie giveth power to nominate, in that case, a brother to excommunicate the said Mr Robert out of the Kirk of God and society of the faithfull. C.]

The Generall Assemblie of the Kirk, in ane voyce, gives full power and commissioun to [their beloved brethren] Mrs James Lowfone, Johne Craig, Robert Pont, David Lindsay, Johne Brand, and Johne Durie, to passe vnto the Kings Majestie, and shew [unto] his Hienes, That concerning the articles he sent be his Majesties Master of Requeists, to have bein ansuerit be the Kirk, being so weghtie and important, a part of them also appeirand to be obscure and captious, they could not presentlie resolve thervpon : notthelese, for the better resolving thereof, they have ordainit certaine brether to consult thervpon quhill the nixt Assemblie, quhilk they have

appointit thorter for that effect: Farther, lamentable to deplore vnto his Grace, quherin the iurisdiction of the Kirk is and hes bein heavilie hurt and prejudgeit, and namelie be the letters givin out in Glasgou, discharge- and the Presbyteries to proceid against Mr Robert Montgomerie; charges of horning vsed against the haille Kirk of Scotland, be the decreit and sentence of the Secreit Counsell, findand them Judges in the action of Mr Robert Montgomerie; missives sent to gentlemen to allist to the placing of him in the pulpitt of Glasgou, against the will of the Kirk; giving of benefices pleno iure, and of Abbacies in heritage: And, with all humilitie, due reverence and gentlenes that appertaines, to exhort his Majestie to the reforming [hereof,] and mantaining of the jurisdiction givin be God vnto his Kirk; as also to give admonition vnto the Dukes grace, Erles of Arrane and Gowrie, in the premises; and quhat they doe heirin, to report to the nixt Assemblie.

Ordaines the particular Elderschips to have ane copie of the articles sent be Kings Majestie, that they may be the better resolvit to give their ansuer advyfiedlie thereto [at] the nixt Assemblie.

Anent the corruption of buriall in the citie of Sanct Androes: The Kirk ordaines Mr Patrick Adamfone to put the commissioun givin to him in the last Assemblie, to dew execution in all points, after the tenour therof, vnder the paine of disobedience.

Ordaines Mr Craig to lay ane ordour for collecting the Acts of the Kirk, betuixt and the nixt Assemblie.

[Anent their establisshing of Presbyteries where none are yet erected: The whole Assemblie hath nominate their brethren underwritten, to take travel in the particular bounds after specified, for planting of Elderships therein, betwixt and the nixt Generall Assemblie, to wit: C. & B.]

[For Cathnes and Sutherland:—Mr George Hay, Mr John Robertfone, Mr George Monro, John Gray.

For Rolis:—The said Mr George, Mr John Robertfone, Mr George Monro, the Person of Duffus, the Minister of Inuernefs, Mr George Hay, John Strathbutchin, James Reid.

For Aberdeen and Bamf:—Mr Alexander Arbuthnet, Mr George Patterfone, David Howefone, James Reid, Steven Meson.

For the west end of Fife:—David Ferguson.

For Teviotdale:—Mr James Lowfon, and Mr David Lindfay: To whom the Assemblie giveth power to constitute Presbytrie or Presbyteries, and

allow or disallow such as are erected, or unite or disjoyn, as they think most expedient; and also appoint how many Presbyteries shall be in a Synodall Assemblie there.

For Teviotdail:—John Brand and Andrew Blackhall, Mr George Hay, Mr Archibald Douglas, the Laird of Traquair, Skirline, and Black Barronie.

For Nithfdaile:—Mr James Bryfon, the Minister of Dumfries, Mr Archbald Sinclare, my Lord Heries, my Lord Maxwel, the Laird of Dumlenrig.

For Galloway:—John Duncanfone, Mr James Hamiltone, James Dods, John Young, the Laird of Lochinvar. C.]

Answers to certaine doubts proponit concerning the Presbyteries.

1. That the Moderatour may continue from the Assemblie Synodall to the next Synodall: His electioun to be, be the particular Presbitrie.

2. That the number of such as are associat to the Elderchip for discipline and correctioun of maners, that are not Pastours nor Doctours, quho travell not in the Word, be not in equall number with vthers, but fewar; the proportioun as the necessitie of the Elderchip craves.

3. Concerning such Elders as verfes not in the Word: Their resort to the Presbyterie shalbe no farther straitit, but as the weghtines and occasioun, vpon intimatioun and advertisement made be the Pastours and Doctours, shal requyre; at quhilk tyme they shal give thair godlie concurrence; exhorting them alwayes that may commodiousely resort, to be present at all tymes.

4. Such of the Ministrie as dois not resort to the Exercise and Presbyterie, shalbe subiect to the penaltie arbitrall to be appointit at the discretioun of every particular Presbyterie, the samein to be aggried vpon be subscrip-tioun of every Minister therof; and if any be found to disagree ther to a guid ordour, to be complainit on to the Generall Assemblie next to come; and the ordour quhilk every Presbyterie takes, to be sictit, and therof ane good ordour [after] establisched for the hail.

5. It is thocht meitt, that the same day quhilk is the day of the Exercise, be in lyke maner the day of the ecclesiastical proces; and if the brether



finds [it] necessar for the haistie expeditioun of the proces, that they may appoint dayes, tymes and places therfor, by the day of the Exercise.

6. It is not thocht expedient, that the Presbyterie be astrictit to direct thair Moderatour to the Assemblie, bot libertie to chuse such as they think most expedient for the comfort of the Kirk.

7. It is not thocht meitt, that visitatioun be exceptit e re nata, within the bounds of the Presbyterie, and the samein not to be limitat to the Moderatour, bot to such, two or ma, as the Presbyterie fall direct, for the necessitie of the matter, according to the Booke of Policie.

8. The Clerk and Moderatour fall subserve, in grave matters and forme of proceeding, in the name of the Elderschip, [ay] and quhill God provyde some better contributioun in every particular Kirk of the Elderschip for his intertainment.

9. The Minister of the paroch fall cause execute the sumounds concerning his paroch, and beare the burdein of sick things as salbe direct from the Presbyterie, or some deput be him, within his paroch.

10. Concerning a generall ordour of admissioun to the office of Elders : Referris it to the ordour vsit at Edenburgh, quhill we approve.

11. As for collatioun of benefices, and designation of manfes and gleibs : The Moderatour of the Presbyterie quher it is requisite, and for satisfactioun of the act of Parliament, that they have a speciall commissioun of the Kirk for that effect, quhill it please God to move the King that the laws may be better reformed ; provyding the Moderatour doe nothing but be advyce of the Presbyterie.

12. It is proponed to the Kirk, Quher ther is no Presbyterie, nor cannot be gottin, what ordour salbe of admissioun, of collatioun and designation of benefices.

13. As for the number of Kirks, how many salbe in every Presbyterie : Referris to them that hes the commissioun to establisch Presbyteries.

14. The forme of proceffe in weghtie matters to be in wryte, at the discretioun of particular Presbyteries, e re nata ; in vther things, verball.

15. For any that will not receive office of Elderschip, and travell not in the Word : We may exhort, but not compell.

[As concerning designation of manfes and gleibs to Ministers and Readers, conferring of benefices to persons presented thereto, and planting of Ministers where no Presbyteries are yet constitute : The Assemblie gives their full power and commissioun to their brethren underwritten, in

the particular bounds after specified, to plant and input Pastours and Preachers of the Word of God, designe manfes and gleebes, give and conferr benefices according to the order observed within the Kirk; and to doe, exerce, and use such other things as were given of before in commissiōne to visiters of countries thereanent, while the erectiōne of the said Presbyteries betwixt and the next Assemblie, viz.

For Cathness and Sutherland :—Mr George Hay.

For Rofs :—Mr Thomas Howefone.

For Murrey :—The Person of Duffus.

For Aberdeen and Bamf :—Mr George Patterfone.

For the West end of Fife :—David Fergusone.

For Teviotdail :—The Moderator of Melrofs.

For Galloway :—John Duncanfone.

For Nithfdail :—Mr James Bryfon.

#### Sessio 14<sup>a</sup>.

As to the Pastor of Stirline : Seing he is deprived of his functione at the will of the Assemblie, the Assemblie requests John Duncanfone and Patrick Gilespie to support the place thereof while the next Assemblie, that the Kirk take order therewith, and understand farther of the said Mr Robert his behaviour. C.]

Ordaines a general fast to be [observed and] keipit universallie in all Kirks of this realme, with doctrine and instructioun of the peiple, to begin the first Sunday of Junij next to come, and to continue to the next Sunday thereafter inclusive, vsing, in the meane tyme, exercise of doctrine, according to the accustomit ordour : and the Kings Majestie to be certified be the Commissioners sent to him, and desyrit to hald hand therto be proclamatiouns [to be] sett out to that effect.

Causēs. 1. Vniverfall conspiracies of the Papists, [and enemies of God,] in all countreyes, against Christians, for executioun of the bloody Councel of Trent. 2. The oppressioun and thraldome of the Kirk of God. 3. Waisting of the rents therof without remedie. 4. Falling from the former zeale. 5. Flocking home of Jesuites and of Papists. 6. Manifest bloodshed, incest, adulteries, with such horrible crymes desyling the land vnpunished. 7. The danger quherin the Kings Majestie stands throw evill company

reforting about him, be quhom it is feared he may be corrupted in maners and religioun. 8. Vniuerfall oppreffioun and contempt of the poore.

[Ordeans every Presbytrie within their own bounds to trie the Ministers of the same; and if any offence be found, to punish the same according to the qualitie and estate of their crimes, betwixt and the nixt Generall Assemblie.

The Generall Assemblie, in one voice, gives their full power and commissione to the honorable and faithfull brethren, the Erle of Marshall, Abbot of Deir, Mr Patrick Adamstone, Mr George Hay, Mr Alexander Arbuthnet, Mr James Martine, Provost of Sanct Salvators Colledge, or to any three of them, conjunctlie to pass and visit the North Countrie so farr as they may, and to call before them, where they shall think most expedient, such as be suspect of papistrie, to give confessionne of their faith, and to subscribe the confessionne set out and authorized be the Kings Majestie: And to this effect, to begin their journey at Midsummer nixt to come; and if any be found obstinate and inobedient, to proceed against them, according to the acts of the Kirk, with the censures thereof; and further commits unto their said brethren to try the accusationnes conteaned in proces layed against Alexander Urquhart be the brethren of Ross; and quhat they doe in the one and other, to report again to the nixt Assemblie. C.]

Anent persons desyreand to entir in the functioun of the Ministrie: The Kirk ordaines the particular Presbyteries to try and examine them; and such as they find qualified, to provyde them to kirks.

[Anent the reconciliacione of the feeds in the West: The Assemblie ordeans the brethren, to whom commission was given hereto in the last Assemblie, to travel thereinto, as they will answer to the Assemblie, according to the said commissione. C.]

[Thanks being given to God,] The nixt Assemblie appointit at Edinburgh, the 24 of October nixt, except some necessar occasioun interveine, be the advertifement of the Elderschip of Edinburgh, and the Kings Ministers, quherby they may be brocht together sooner,

. . . . .

## EX REGISTRO SECRETI CONCILII.

Apud castrum de Striueling, duodecimo die mensis Aprilis, Anno Domini  
I<sup>mo</sup> V<sup>o</sup> lxxxij<sup>o</sup>.

Rege presente.

Sederunt.

Esmeus Dux Lennoxie.

Robertus Commendatarius de Dumfermling.

Jacobus Comes de Arrane.

Adamus Commendatarius de Cambuskyneth

David Comes de Craufurd.

Commendatarius de Culros.

Willielmus Comes de Gowrye. Computorum Rotulator.

Jacobus Dominus Downe. Clericus Registri.

Clericus Justiciarie.

Bisshoprik of Glasgou diuoluit in the Kingis handes.

Anent oure Souerane Lordis lettirs direct makand mentioun, forfamekle as be certane Commiffioners authorizit be his Hienes and the Generall Assemblie of the Kirk, conuenit at Leith in the moneth of Januar the zeir of God I<sup>mo</sup> V<sup>o</sup> lxxj zeris, certane articles and ordoures wer aggregit vpoun, twitcheing the prouisioun of qualifeit perfonis to Archebifchoprikkis and Bisshoprikkis vacand, to stand and continew to his Hienes minoritie, or consent of Parliament: And the samyn wes allowit and approvit be his Hienes, and his umquhile richt traift couling, Johnne Erll of Mar, Lord Erkin, Regent to his Hienes his realme and liegis for the tyme, in his Hienes name, and ordanit to haue the strenth of ane act of his Hienes Secrete Counlaie in the meyn tyme. According to the quhilk the Prelaceis and vtheris inferiour benefices within this realme vacand, hes bene presentit and conferrit fensyne; and namelie the Archebifchoprik of Glasgou to vmquhile Maister James Boyd, last possessour thair of, quha departit this lyff. His Hienes licence to cheis of all honoure and commendatioun of Maister Robert Montgomery, Minister of Godis Word, for prouisioun of him to the said Archebifchoprik, wes direct to the Cheptoure of the Seitt of Glasgou, nominat and appointit for electing of the said Archebifchop; quhilk Cheptoure consistit in xxxij Channonries or Prebendareis fundatioun, distinct or feuerall benefices of the present possessoures. Off the quhilk samony as ar enterit in the functioun of the Ministerie, wer

ordanit to be of the Cheptoure for electioun of the Archebifchop : as alſua how ſone the remanent polleſſoures of the ſaidis benefices ſal happin to depart this lyff, the benefices alwyſe to be diſponit to qualifeit perſonis, that ſuld entir in the functioun of the Miniſterie, and thay to be of the Cheptoure : And quhill the perſonis, preſent poſſeſſoures of the benefices, not enterit in the functioun of the Miniſtrie, be departit this lyff, to adioyne thame quhilkis ar already Miniſters prouidit to the ſaidis benefices. The vther Miniſters of the Kirkis following, to repreſent and ſupple the Chaptoure in electioun of the ſaid Archebifchop, quhilkis will not conuene to that effect, without thay be compellit. And anent the charge gevin to Maifter Dauid Wemys, Perſoun of Glaſgow, Maifter Thomas Smetoun, Principall of the College of Glaſgow, as Perſoun of Govane, Maifter William Churnefyde, Perſoun of Luſs, Maifter Thomas Jak, Miniſter of Rutherglen, Maifter Andro Polwort, Subdene of Glaſgow, Maifter Johnne Howefoun, Perſoun of Cambuſlang, Johnne Anderfoun, Miniſter at Kirkpatrick, Maifter Archebald Douglas, Archedene of Glaſgow, Maifter Robert Ker, Archedene of Tiviotdale, Maifter James Hill, Perſoun of Erſkin, Maifter James Bryſfoun, Subchantoure of Glaſgow, James Blakwood, Perſoun of Sanquhair, Maifter Andro Hay, Perſoun of Renfrew, Johnne Porterfeild, Perſoun of Air, Maifter Johnne Loverance, Perſoun of Douglas, Maifter Hector Douglas, Perſoun of Ancrum, Maifter William Hammyltoun, Perſoun of Cumnok, Maifter James Betoun, Perſoun of Auld Roxburgh, Maifter Thomas Cranſtoun, Perſoun of Aſkirk, Maifter George Hay, Perſoun of Doddiſtoun, Edward Cuſtik, Miniſter at Dumbertane, Maifter Johnne Zoung, Miniſter at Irwing, Maifter Robert Lyndſay, Miniſter at Lanerk, Maifter Johnne Dauidfoun, Miniſter at Hammyltoun, Johnne Spehard, Miniſter at Campſy, Maifter James Greg, Miniſter at Cammonell, Maifter Petir Prymrois, Miniſter at Mauchlene, Maifter Johnne Inglis, Miniſter at Vchiltre, Maifter Patrik Walkinſchaw, Miniſter at Stevinſoun, Johnne M'Crone, Miniſter at Straiton, To haue conuenit in the cietie of Glaſgow, at the ordinar place of the eccleſiaſticall Affemblies, at ane certane day bypaſt : And thair the ſaid Maifter Andro Hay repreſenting the place of the Dene, the ſaid Maifter Archebald Douglas, Archedene of Glaſgow, his awin place, the ſaid Robert Ker, Archedene of Tiviotdale, his awin place, and the ſaid Maifter Dauid Wemys, the place of the Chancellour, to haue procedit in the electing of the ſaid Archebifchop according to his Hienes licence, and lettirs of commenda-

tioun direct to thame to that effect, as thay wald ansuer to his Hienes vpoun thair obedience, and vnder the pane of rebelloun and putting of thame to the horne; or ellis to haue comperit befor his Hienes and Lordis of Secrete Counsale, at ane certane day bypast, and schawin ane rellonable cause, quhy the famin suld not haue bene done: with certificatioun to thame and thay sailzeit, vtheris lettirs suld be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis lettirs. Quhillkis being callit, and the saidis Maisters Andro Hay, David Wemyis, Thomas Smetoun, Thomas Jak, Andro Polwart, Johnne Anderfoun, and Johnne Porterfeld comperand all personalie, and the remanent personis abonewrittin being oftymes callit and not comperand, the said Maister Andro Hay protestit that nathing to be done in this iugement suld onywise preiuge the Word of God, liberties and preuilege of the Kirk, nor the lawes of this realme maid anent the fame, and depending thairvpoun. Quhillk protestatioun with diuers vtheris the rellonis and allegatiouis of the foirlaidis personis comperand, as said is, being hard and considerit be the Kingis Maiestie and the saidis Lordis, and thay rypelie aduilit thairwith, the Kingis Maiestie, with aduise of the saidis Lordis, ffindis and declaris, That in respect of the foirlaidis personis representing the Dene and Cheptour foirlaid, had delayit to follow furth in this cais, the said order and forme aggreit vpoun at Leith, in maner foirlaid, notwithstanding that thay wer diuers tymes, be his Maiesties lettirs and vtherwyfe, requirit thairto, that thairfore the richt dispositioun of the said Bischoprik is diuoluit and becum in his Hienes handes; and that his Maiestie, in the same respect, may mak dispositioun of the same heirefter to quhom his Hienes thinkis guide.

#### Discharge of proceeding contra Mr Robert Montgomery.

Anent oure Souerane Lordis lettirs raisit at the instance of Maister Robert Montgomery, Minister, makand mentioun, that quhair, vpoun the xvj day of Marche last bypast, he obtenit ane discharge discharging the Presbiterie of Striueling, and all vtheris Presbiteris, &c. of directing of ony citationes of excommunicatioun, or vtheris innouatioun, or troubling of him, for aspiring to the Bischoprick of Glasgou, or troubling of his brethrene in admissioun thairto, as the act thairvpoun presentit and schawin at mair lenth beirs: notwithstanding quhair of the said Elderschip of

Striueling hes of new directit ane citatioun, chargeing the said Maister Robert to compeir befor the Elderschip of Edinburgh, Dalkeith, Linlythgow and Striueling, within the New Kirk of the burgh of Edinburgh, the thrid day of Aprile instant: Quhilkis Elderschip intendis maist obstinatlie and disobediētlie to proceid to excommunicatioun aganis him, and will not fail to proceid thairintill, without his Hienes and the Lordis of Secrete Counsale prouide remeid; albeit his Maieſtie and the saidis Lordis, be thair said aēt, hes found thame selfis only Jugeis competent thairto, as groundit vpoun the Aēt maid at Leith, betuix his Hienes and the Commissioners of the haill Kirk. And anent the charge gevin to Maister Nicholl Dalgleische, as Moderator of the haill Synodall Assemblie; Maister James Lowfoun, Maister Robert Pont, Maister Andro Symfoun, for thame selfis, and in name of the haill Presbiterie of Edinburgh; Patrick Gillaspie, Moderator of the haill Presbiterie of Striueling, for him self and the said haill Presbiterie; Patrik Kennoquhy, Moderator of the Presbiterie of Linlythgow, for him self and the haill Presbiterie of Linlythgow; and Maister George Ramsay, Moderator of the Presbiterie of Dalkeith, for him self and the remanent his haill brethrene thair of, To haue comperit personalie befor the Kingis Maieſtie and Lordis of Secrete Counsale, at ane certane day bypast, bringand and produceand with thame the said principall citatioun, togidder with all vther proces led and deducit be thame in the said mater, to haue bene sene and considerit; and to haue hard and sene the samin decernit, to haue bene in orderlie directit and procedit, as expres contrar the said aēt and ordoure aggreit vpoun at Leith, and to be suspendit simpliciter in tyme cuming, lyke as at mair lenth is contenit in the saidis lettirs. Quhilkis being callit, and the said Maister Robert Montgomery comperand personalie, and the saidis Presbiterie and Elderschip of Edinburgh, Linlithgow, and Dalkeith, for the maist part comperand alſua personalie; quha, be the pronounciatioun of Maister Robert Pont, ane of thair nowmer, protestit, That albeit thay be personalie present, and thairin hes declarit thair obedience to his Maieſtie, as thay myndit to continew his Hienes obedient subiectis to thair lyfes end; zit thay altogethir disallentit to accept and admit his Maieſtie and the saidis Lordis to be Judgeis competent in this cause, being ecclesiasticall, as thay allegeit, quhilk properlie appertenit to the iugement and iurisdiction of the Kirk; and, thairfore, that nothing to be done thairin presentlie suld onywyſe be preiudicial to the Word of God, liberties and preuilegeis of



the Kirk, nor to the lawis of this realme maid anent the famin, and depending thairvpoun. Quhilk protestatioun, with diuers vtheris the reffonis and allegationes of baith the faidis parteis, being hard and confiderit be the faidis Lordis, and thay ryplie aduifit thairwith, the Kingis Maiestie, with aduife of the faidis Lordis, dischargeis the four faidis Presbiteries and Elderfchippis, and all vtheris Presbiteries, Elderfchippis, and Generall and Synodall Assembleis, off all proceding aganis the said Maister Robert Montgomery, for aspyring to the said Bischoprick of Glasgou, or troubling or perfewing of his brethrene for the famin, or for ony promise maid be him thairanent, or ony vther thing depending thairvpoun, in tyme bygaine, and of thair offices in that part; without preiudice alwyfe to the same Presbiteries and Elderfchippis, or vthers haueand lauchfull power, to proceed aganis him for ony vther cause or actioun twitching his lyff, doctrine, maners and conuersatioun, as accordis.

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A. D. M.D.LXXXII.

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THE [extraordinary] Generall Assemblie of the Kirk conveynit at  
Edinburgh in the New Kirk therof, the 27 day of Junij 1582 :  
Where there was present the Commiffioners.

Exhortatioun made be Mr Andro Melvill, [Principall of the New Colledge of Sanct Andrews, and last Moderator,] quho was continewit Moderator vnto the next Assemblie.

Sessio 1<sup>a</sup>.

Anent the lang discourse made be [their brother,] John Durie, of his calling before the Kings Majestie and Counsell, his answer, and haill proceffe vsed against him ; as also a charge to him this day, be the Kings letter, to remove off the towne ; craveand in end the good advyce of the breither, Whither he sould remove from his flock according to the [Kings] charge, or remaine according to his calling, being alwayes ready to follow thair determinatioun, howsoevir the brethren thinks expedient to give it. The Kirk [present thocht meet to] direct David Fergusone and Mr Thomas Buchannan to the Kings Majestie, to vnderstand his meaning therin, and to crave [humble] of his Hienes the performance of the promise made to certaine of the brether concerning him : as also to lament vnto his Hienes the cace of thair brether of Glasgou, chargit to Sanct Johnstoun, and to make sute for them to this effect : also ane missive [to be drawn] to be directit to Johnne Duncansone to concurre earnestly with them [in the said matter.]

Sessio 2<sup>a</sup>.

[The conclusion of the Moderator and his Affessors being proponed to the Assemblie, without farther examination, the letter which was written be them to that effect, was subscribed be the Clerk of the Assemblie, and they dismissed. C.]

Anent the desyre of the Commissioners direct from the Counsell of Edinburgh to the Assemblie, craveing thair counsell concerning the charge givin to the Provest, Bailgies, and Counsell of Edinburgh, for removeing of Johne Durie their Minister: The Kirk ordainit [their brethren,] Mrs James Lowfone, Thomas Smeitoun, Andro Hay, Robert Pont, David Lindefay, and Johne Craig, to concurre with such as the Counsell will deput, the morne [at half hour to seven, and] to consult, conferre, and reason concerning the matter.

[Forfameikle as be many greeves wherewith the godly and faithfull brethren of the Kirk are wounded, whereupon doubtles great perells are threatned to the whole Kirk of God within this natione, it is thoght expedient, That the brethren of each Eldership conven themselves together, and advise diligently upon the said greeves betwixt and the morn, and to present the same in forme, to be considered be the whole Assemblie. C.]

Sessio 3<sup>a</sup>.

Anent the informatioun made be [their brother,] Johne Durie, that certaine brether, direct from the Counsell of the towne, movit, to him as appeirs, of good affectioun, hes desyrit him, for avoiding of the danger that may fall vpon his flock, to absent and withdraw himselfe a space aff the towne privilie, desyrand [herein] to vnderstand the good judgement of the Kirk; protesting, for his awin opinion, that becaufe his removeall may be prejudiciall to the comoun cause, and his privie departing [appear] ane accepting of the vice vpon him, quherwith he is vniustlie chargeit; that without thair counsell heirin, his awin deliberat mynd is to abide, be it with the hazard of his life: And farther seeing that his doctrine, quherof he was accusit in Counsell, in force and substance was justified at his awin Presbyterie, and be his awin Sessioun of Edinburgh, That the brether wald

give him that testimoniall, that he had travellit faithfullie in his vocation, no fault being found with him in his doctrine, or impute to his lyfe; as als, if it please God that he be compellit to remove, that he may have libertie elsequher to preach the Evangell, quher it fall please God to give him the occasioun of tyme and place, for discharge of his awin conscience and calling.

The brether, after good advyce and deliberatioun, in ane voyce thocht it not meitt that he sould remove off the towne privilie, but abyde the charge to be given be the Provest and Baillies to him.

And as to his doctrine, lyfe, and conversatioun: The hail Kirk acknowledgit nothing in him bot found, true, and wholesome doctrine, vpright and honest in lyfe and conversatioun; giving him libertie, in cace of his removeing, to preach the Evangell faithfullie, quher God fall offer the occasioun, vntill it please him to restore him to the charge of his awin flock.

[Anent the greeves appointed of the brethren this day to be presented in publick a certain day, being conceived in writ; being read and considered, it was thocht expedient, that the same sould be qualified in better forme, collected and presented in better order be their brother, Mr Thomas Smetone, to be again considered after they be put in mundo. C.]

The Kirk gives thair full power and commilloun to [their loved brethren,] Mrs Alexander Arbuthnot, Adame Johnstoun and David Hooime, to passe to the Dukes Grace, to make informatioun to him of the great slander [risen be interteanment] of Mr Robert Montgomerie in his societie, since [the tyme of] the sentence of excommunicatioun pronouncit against him; to intimat vnto him the said sentence with gentle and discreit persuasiouns; to shew the danger therof, and quhat be Acts of Assemblie is concludit aganis receivers and maintainers of excommunicat persons; desyreing him earnestlie to remove [him] fra his companie; and to give admonitioun to him to that effect, and in cace he continue inobedient, that the Kirk will proceed against him according to thair acts.

#### Sessio 4<sup>a</sup>.

Johne Duncanfone, [his Graces Minister,] presentit a letter from the Kings Grace concerning the Laird of Mynto, and certaine of the Magistrates and citizens of Glasgou, desyreand, in effect, that matter [to] be

handlit befor the Counsell, with credit to be givin to the bearer, [as his Majesties letter at lenth contains, presented be the said John, bearer here-of,] quho vtterit his crydet, and shew, That his Majestie continues, and fall conflatlie continue to the end, in the true professioun of the religioun presentlie establischt within this realme : And as to the actioun of Glasgow, vpon supplicatioun to be givin in to the Counsell, such ordour falbe takin as the Kirk falbe therwith satisfiied.

Anent the summonds [and citatione] produceit agains the faids perfons to heir tryall tane of the violence done be them aganis Mr John Howfone, and to heir them convicct, excommunicat, and castin furth of the societie of the faithfull, for the committing of the said haynous offence and slander ; as the summonds dewlie execut and indorfit at length buire : The faids perfons all being callit, and none compeirand except John Grahame, quho denyed the contents therof for his part : The faids summonds being givin to probatioun, and Mrs Johne Davidfone, Johne Hamiltoun, Andro Knox, Patrick Walkinschaw, Thomas Jack, Richart Wright, Archibald Eglington, and John Stoddart, being fworne, receivit and admittit witnesfes, the Kirk ordainit them to be present the morne in the morning, befor the Moderatour and his Affessours, to depone in the said matter.

#### Sessio 5<sup>a</sup>.

The brethren directit to the Kingis Majestie [to understand his meaning] concerning Johne Durie, and the brethren of Glasgow, reportit his Graces wryting, in effect bearing, That at the coming of the Dukes Grace, quho had intrefs in that matter concerning the said John, vpon supplicatioun to be givin in, consideratioun fould be had therof : And as to the brether of Glasgow, the actioun quhilk the Kirk hes in hand against the Provest of Glasgow and his Collegues being superfeidit, he wald dispense with the brether of Glasgow to the fast day of July nixt to come, as the letter at length beares.

Anent the proceffe deduceit against the Provest of Glasgow and his Collegues : The Kirk ordaines thair brethren, Mrs James Melvill, Johne Porterfeild, and Patrick Sharpe, to examine the remanent witnesfes after-noone, quhilk are produceit and vnexaminat ; and in the meantyme for the proces to stay : lyke as the faids witnesfis were examinat at the tyme appointed be the said brether.

Sessio 6<sup>a</sup>.

Anent the actioun laid aganis the Laird of Mynto, Proveſt of Glasgou, and his Collegues : The haill Kirk, after publick reiding of the proceſſe, and probatioun vſed in the matter, and dew conſideratioun and examinatioun therof, being weill and rypelie advilit therwith, Finds the cryme, as it is verified, provin and tryed befor them, to deſerve to be puniſhit with excommunication ; and, nottheleſs, at the Kings Maieſties requeiſt, continues the pronouncing of any ſentence againſt them to the 6 day of Julij nixt, quhilk is the day of the Convention of the Nobilitie at Perth, quher hope is givin of repaire : Giveand, grantand, and committand alſo full power and commiſſioun to the Commiſſioners, direct be them vnto the Kings Maieſtie and Counſell, to the ſaid Conuentioun, in cace they ſould not ſie remeid then put to the matter, betuixt the ſaid day and the 24 day of the ſaid moneth, or ſooner, at thair diſcretioun, to proceid and give fourth ſentence in the ſaid cauſe, and to appoint ſeverall perſons to the executioun therof, as they will anſuer to the Kirk ; and ordaines report to be made of this continuatioun to the Kings Maieſtie.

Anent the place occupied be Johne Durie, one of the Miniſters of Edinburgh, [in the functiōne of the Miniſtrie there,] preſentlie removeit aff the towne : The Kirk [and whole brethren] preſent inhibites and diſcharges the Kirk and Preſbyterie of Edinburgh, to elect, choſe, or admitt, in any wayis, any Miniſter in his place of the Miniſtrie therof [to diſplace him ;] diſcharging alſo all Miniſters, [or that aſpires to the Miniſtrie,] to attempt the uſurping or taking vpon them of his charge and place therof, except at the deſyre of the Miniſters of Edinburgh, to relieve them, at all tymes, quhill the General Aſſemblye of the Kirk be farther advyſit : and, in cace any falſe choſin or electit, the haill Kirk decernes the ſaid electioun and admiſſioun to be null and of none effect.

[Anent the directiōne given to certane brethren ſent to the Dukes Grace yeſterday : The ſame brethren reported, that they had ſhewn to his Grace and made intimatiōne of the excommunicatione of Mr Robert Montgomery, declared what were the Acts made be the Aſſemblye, and pains conteined therein, againſt ſuch as interteane excommunicat perſons : C.] The Duke of Lennox anſuer to the brether that was ſent to him concerning the mantaining of Mr Robert Montgomery, was, firſt, a interrogatour,

Whether the King or the Kirk were superiours ; and, therafter, that he had command of the King to maintaine him, and of his Counsellors ; and, quhill he were contramandit be him, he wald not remove him.

The kirk having confiderit his anfuer, Ordaines the brethren of the Ministrie that ganges in commilloun to Perth, as they lie occaſioun ther, and the greife not remeidit, twitching his mantaining of the ſaid Mr Robert, to proceed and appoint ſpecial men, that ſhall proceed farther againſt him with the cenſurers of the Kirk, according to the aëts of the Generall Affembly, to quhom the Kirk gives thair full power to that effect.

The Generall Affembly, in ane voyce, gives thair full power and commilloun to the Right Honorabill [and] thair lovit brother, John Erſkine of Dune, the Miniſters of the Kings [Majeſties] houſe, Mrs Robert Pont, James Lowſone, Thomas Smeitoun, Andro Hay, David Lindſay, Andro Polwart, Peeter Blackburne, Patrick Galloway, William Chryſteſone, David Ferguſone, James Melvill, Thomas Buchanan, Johne Brand, Patrick Gillespie, Johne Porterfeild, Miniſters [of Chriſts Evangell,] Andro Melvil, [Principal of the New Colledge of Sanct Andrews,] to repare toward the Kings Majeſtie and his noble Counſell to be convenit at Perth, the 6 day of Julij [nixt,] and there, with all reverence, dew obedience, and ſubmiſſion, preſent vnto his Hienes and Nobilitie the ſpeciall greives of the Kirk, conceivit [and given in to them] in wryte, and in thair behalves, lament, deplore, and regrat the ſame vnto his Hienes and Counſell ; craveing, in the name and feare of the Eternall God, the ſame and every ane of them to be repairit and redreſt, to the glorie of God, and weifare of his Majeſtie, and comfort of his Kirk : And thervpon, if neid be, with humilitie to conferre, informe, and reaſon ; and quhat heirin beis done, to report to the next Affembly : firme and ſtabill haldand and for to hald quhatſoevir thair brether in the premiſſes righteouſlie leids to be done.

#### Seflio 7<sup>a</sup>.

The tenour of the Greives of the Kirk above ſpecified.

Vnto your Majeſtie, [moſt] humble meanes and ſchawis your Graces faithfull and obedient ſubieëts, the Miniſters of Gods Word within your



Graces realme, conveinit in the Generall Assemblie haldin at Edinburgh, the 27 of Junij, That quher vpon the occasioun of diuerse great and evident dangers appeiring to the haill Kirk of God, and professours of his true religioun in this country, finding the authoritie of the Kirk abrogat, the censures therof contemned, and violence vsit against some of thair brether, without punishment therof; the lyke hes not bein sein in this realme, nor any vther quher the trueth of the Gospell hes bein preachit and receivit: And fearing least gour Majestie, for lake of informatioun, [might] neglect in tyme to provyde remedie for the inconveniences lickle to ensue ther-vpon, We conveinit ourselves in the feare of God and gour Hienes obedience; and after diligent consideratioun of this present estate of the Kirk, and enormities fallin furth in the same, with commoun consent thocht necessar [be] our Commissioners to present and open to gour Grace certaine of our cheife and weightie greives, without hastie redresse quherof the Kirk of God and true religioun can no wayes stand and continue in this gour Graces countrey.

First, That gour Majestie, be advyce of some Counsellours, is cauit to take vpon gour Grace that spirituall power and authoritie quhilk properlie belongs to Christ as only King and heid of the Kirk; the ministrie and executioun therof [is only given] to such as beare office in the ecclesiastical government of the same; swa that in gour Graces person, some men preases to crect a new Paipdome, as thogh gour Majestie could not be full King and heid of this commonn wealth, unles asweill the spirituall as temporal sword be put in gour Graces hand; vnlesse Christ be bereft of his authoritie, and the twa iurisdictiones confoundit, quhilk God hes divydit; quhilk directlie tends to the wrack of all true religioun, as [be] the speciall heids following is manifest:

1. For benefices are given be absolute power to vnworthie persons in trust in the office of the Ministrie, without the Kirks admissioun, directlie against the laws of God, and acts of Parliament; quherthrow the Kirks livings comes in profane mens hands, and vthers that sells thair foules, and maks schipwrack of conscience, for pleasure of men, and obtaining of some worldlie [commoditie.]

2. Elderschips, Synodalls and Generall Assemblies, are discharged be letters of horning to proceed against manifest offenders, and vse the discipline of the Kirk, and censures therof, according to Gods word.

3. John Durie, be aēt of Counsell, is fuspendit fra preaching ; and for this same cause banifchit fra his flocke.

4. Excommunicat perfons, in contempt of God and of his Kirk, are mantainit in chiefe Lords houfes ; namelie, Mr Robert Montgomerie, authorizit and caulit to preach, and brocht to your Majesties prefence, quhilk is a fore wound to the conscience of them that loves your Majestie, and knowis your Graces vprising, and a heavie slander in all nationis professing the true religioun.

5. Ane aēt or delyverance of Counsell is made against the proceedingis of the Ministrie, with a slanderous narrative, suspending simpliciter, and diffanulling the excommunicatioun justlie and ordourlie pronouncit against Mr Robert Montgomerie, a rebellious and obstinat offender and troubler of the Kirk of God ; and opin proclamations made according therto.

6. Contempt of Ministers, and dinging of many doing thair office ; and speciallie the violent drawing of Mr Johne Howfone out of the judgement seate quher he was placit Moderatour of the Presbyterie, his cruell and outrageous handling, carieing to prision lyke a theife be the Provost and Bailgies of Glasgow, and thair complices ; and, after complaint made, no ordour takin with the doers therof, but contrariewayis, mantaining of them, as if the same had bein good service.

7. Displacing of the Minister of Glasgow out of his rowme, quhilk, without reproach, he hes occupied thir many zeirs ; and convocation of the gentlemen of the countrey to that effect.

8. Violence vsit be ane of your Graces awin guard to pull him out of the pulpitt, the day of the Communioun, in prefence of the hail congregatioun, in tyme of fermoun, and no fault found therwith.

9. The officiar of the Kirk was castin in prision in your Graces prefence, and ther keipit a lang tyme, for executioun of letters direct against a particular slanderous man.

10. Ministers, Masters of Colledgis, and scholers of Glasgow, in tyme of publick fast, were, be letters of horning, compellit to leave thair flockes and schooles destitute, and sensyne, from tyme to tyme, and place to place, have bein delayit and continued, therby to consume them be exorbitant expensis, and to wrack the Kirks and Schooles quherof they beare rule and charge.

11. The Scholers of Glasgow were invaidit, and thair blood cruellie shed be the bailgies and commountie gatherit be found of the commoun bell

and fraik of drum, and be certaine feditious men inflamit to have flaine them all, and to have brunt the Colledge ; and get nothing done nor said to the authors of that feditioun.

12. Hands shakin with the bloodie murtherers and perfecuters of the peiple of God, be propynes givin and receivit.

13. The Dukes Grace oft tymes promised to reforme his houle, and nothing done therein.

14. The lawes made for manteinance of the true religioun, and punisshing of the enemies therof, are not put to executioun ; swa that all things goe louse, and worfe lyke to enfew.

Many vther things ther be that crave present reformatioun, quherwith, notwithstanding, we think not expedient to trouble your Majestie untill we see what ordour be takin with thir greivous complaints ; beseikand your Majestie most humbly, for the love of God, who hes plantit your Grace in this most royall throne, and heirvnto wonderfullie defendit and mantainit your authoritie, carefullie to looke vpon thir matters as becomes the Lievetenant of God, and a Christian King : and with advyce of them that feare God, and tenders your Graces estate, and quyetnes of this common weill, so to redresse the premisses, that, first, Chryst above all be acknowledged ; his Messingers, without feare or stop, sufferit to execute thair office ; the course of the Gospell advancit, [and] be the example of the worthie punishment of them who so licentiouslie and contemptuouslie have wrangit and injurit Ministers and professours of Gods Word, that vthers heirafter may be affrayit to interpryse the lyke.

The next Assemblie was appointit to be at Edinburgh, the 21 day of October next to come, except that necessar and weightie causes interveine, be advertisement of the Elderschip of Edinburgh and Ministers of his Majesties houle.

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A. D. M.D.LXXXII.

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THE Generall Affemblie conveynit at Edinburgh in the New Kirk therof, the nynt day of October 1582: Quher were conveynit, Commiffioners for the King, Mr James Halyburton, and Colonell Stewart, and Commiffioners of Erles Bothwell, &c., Barrons in great number, and Minifters.

Sellio 1<sup>a</sup>.

Exhortatioun made be Mr Andro Melvill: Leitts, Mrs David Lindfay, Thomas Smeitoun, and David Fergusone. The faid Mr David Lindfay, be pluralitie of votis, was nominat Moderatour hac vice.

[For the better expeditioun of a<sup>c</sup>tiones to be treated at this Affemblie, the brethren, at the defire of the Moderator, nominat thir brethren following, to wit, Mr Robert Pont, Mr James Lawfon, Mr Andrew Hay, Mr Andrew Melvil, Mr Thomas Smeton, David Ferguson, Mr George Hay, John Duncanson, William Chriftefone, the Lairds of Lundie, Whittinghame, and Braid, to concur and convene with the Moderator every day at 8 hours on the morning, and two afternoon, and advife upon fuch things as fall be proponed and reafoned in this Affemblie, to the end thereof. C. & B.]

Sello 2<sup>a</sup>.

The Kirk ordainit [their brethren,] the Ministers of Edenburgh, [to goe to the Kings Majestie, and,] in name of the baill Kirk, to desyre the Kings Grace to fend some Commiſſioners, [authorized] with his Hienes Commiſſion, to ſie the proceedings ther, and vote in his name: Who returneit [with] anſwer, That they ſould be ſatiffiet the morne [therin.]

Anent the commiſſioun to certaine brether to preſent vnto the Kings Majestie and Counſell at Perth, the greives and complaints of the baill Kirk: The executionn therof being requyrit, and the ſaids greives, with the anſwers therto, being red and conſiderit; with commoun advyce, it was thoght the ſaids anſuers not directlie meiting the articles, and therfor the ſamein, ſo farre as is not ſatiffied, to be get inliſtit in, and to be givin in with ſuch vther articles as are meit git to be craveit: the formeing quher- of the brethren committit to Mrs Robert Pont, Thomas Smeiton, Andro Polwart, and Andro Melvill; [and to be preſented again to the whole Aſſemblic to be conſidered, that thereafter, with common conſultatione and conſent, they may be foght at the Kings Majestie and his Counſel.

Anent the preſent diſſentione and unhappy diviſione ſtanding among the neighbours of Edinburgh: The Aſſemblic ordeaneth their brethren, Mr James Lawſon, and Mr David Lindſay to goe to the Kings Majestie the morne at 8 hours, and humbly implore his Grace to interpone his authoritie for reconciliatione of the ſaids parties, that perfect amitie conſiſting amongſt them, God may be glorified, and his Hienes uniformly loved and obeyed.

Anent the conſtitutione of Preſbyteries committit to certain brethren, where yet there was none eſtabliſhed: The brethren thoght meet to take accompt of the Commiſſioners dilligence in this; and after orderly calling offſo many as were preſent, the Aſſemblic took the order following.

As concerning Cathnes and Sutherland: It was anſwered by Mr George Hay, That he ſaw not where any Preſbyterie could be weel conſtitute within theſe bounds.

Anent Roſs: He had written his deviſe to Mr John Robertſon; and yet had received no anſwer, whereby he might know what had been proceeded therein; as he had alſo done in Murrey.

The Assemblie present ordeans the said Mr George, with all diligence, to establish a Presbytrie in Sutherland and Cathnes, where the same may most conveniently be erected; and, with the concurrence of Mr John Robertfone, to proceed and establish ane Eldership in Rosse, if the famine be not already planted.

As to Murrey, Aberdeen, and Banff, and the Presbyteries to be erected there: The Assemblie gives commissione to the said Mr George, and Mr John Keith of Murrey, and Mr Alexander Arbuthnet, Mr George Patterfone, David Howefone, James Reid, Steven Mafone, with concurrence of Mr Peeter Blackburne, to constitute Elderships, as they shall find most convenient within these bounds, making alwayes the place of Elderships in Aberdeen, and not Kintore; adjoyning to the same, Nig, Marie Culter, Banquhorie Devynnik, Durris; and what herein shall be done to report to the next Conventions: unto the which time, if the said Presbyteries be not erected, the Assemblie giveth commissione to the said brethren to use the office of Visitors, as was accustomed before the forme of Elderships came in use.

Anent the Presbyteries of Teviotdale: For as meikle as the Assembly understands, that be reason of the raritie of qualified Ministers there, a Presbytrie cannot presently be had; and that alwa divers unmeet for the functions of the Ministerie, as yet abide in office; the Assembly giveth commissione to their brother, John Brand, to visit the bounds thereof, till the next Assemblie, and in the meantime, with all convenient diligence, to summond before the Presbytrie of Edinburgh such persons foresaids, as shall be judged unapt for their functions, to give tryall of their doctrine and qualities there; and, if they be found inidoneous, to deprive of their offices be advice of the said Presbytrie: and in the mean time, while a better order be tane, the said Country to resort to the Synodall Assemblie of Lothiane. C.]

### Sessio 3<sup>a</sup>.

In presence of the hail Assemblie, compeirit Mr James Haliburtoun and Collonell William Stewart, and presentit the Kings Majesties commissioun in wryte; the tenour quherof followes:

We, be the tenour heirof, with the advyce of the Lords of our Secret

Counsell, gives and grants authoritie, full power and commissioun, to our right trustie and well belovit Mr James Haliburtoun, Provest of Dundie, and Colonell William Stewart, coniunctlie and severallie, for vs and in our name, to passe to the Generall Assemblie of the Kirk of our realme, and ther to heir and confidder the matters proponed, tending to the advancement of Gods glorie, and his true religion, correctioun of maners, and mantaining of the ecclesiasticall matters in decent and comlie ordour, as the Word of God requyres and allowes, and to report the matters proponit and intreattit to vs for our allowance and ratificatioun of the same, as appertaines; and generallie all and fundrie vther things to doe, that to the furtherance of all godlie and good matters is necessarlie requyrit: firme and stabill &c. Subscryvit with our hand at Halierudehous x day of October 1582, and of our reigne the 16 geir.

Sessio 4<sup>a</sup>.

[Anent the difficultie moved twiching the Presbyteries of Merce, Teviotdale and Tweddale: The Assemblie thinketh meet, that all three be joyned to the Synodall Assemblie of Lothiane: C.] The places [alwise,] quher the Synodall Assemblie fall conveyne, false changeable from tyme to tyme, as the brether therof fall find meitest; [as also that the same rule be observed in the rest of the Synodall Assemblies,] that no ambition grow be continuing the same in ane place.

Sessio 5<sup>a</sup>.

[Mr Patrick Galloway, Minister at Perth, reported, that the Lady Athol was excommunicat, notwithstanding of her pretended subscriptione she gave to the Confession of her faith, which was read openly; and howbeit she had appealed from their sentence to the Kings Majestie, he desired their processe to be considered, and approven, if the same was formallie and weel deduced: The Assembly nominats Mr George Hay, William Christefone, and David Fergusone: They consider the processe, so farr as wes offered to their sight; but the particular citationes were not showed to them, because it was alledged the same were in the hands of Mr Wil-



lian Glaſs who was abſent ; alwiſe as farr as they had found, they allowed. This was their report to the Aſſembly.

It was given in commiſſion before to the Eldership of Edinburgh, to call before them the Laird of Pharnihirſt, his ladie and daughter for going to the Meſs in France, and other ports beyond ſea, and to ſubſcribe the Confeſſione of Faith ſet out be the Kings Majelties proclamations ; but this commiſſione was not put in executione be reaſon of the abſence of the ſaids perſons out of their bounds : The Aſſembly therefore giveth full power and commiſſione to the Eldership of Haddintoune, with the concurrence of William Sanderſon, Alexander Hume, Mr Adam Johnſtone, Mr George Ramſey, Mr David Lindſey, and one of the Miniſters of Edinburgh, to call and convene the ſaid perſons before them with diligence, within the toune of Haddintone, and to take diligent inquiſitione of their defectione ; and in caſe the famine be found true, to take order therewith according to the Acts of the Aſſembly ; and likewiſe to charge them to ſubſcryve the Articles of Religione, and if they repyne, to proceed according to the tenor of the Kings proclamations.

The Aſſembly ordeans Alexander Forreſter, Miniſter of Tranent, to ſummon Adam Biſhopt of Orkney to compeir before the Aſſembly after-noon, to anſwer to ſuch things as the Aſſembly will lay to his charge. C.]

Anent Biſhops : Seeing the great ſlander and offence ariſeing to the Kirk be thair impunitie and oversight, being altogether out of rule, the Kirk hes thought it expedient, that [their brethren, to witt,] the Kings Majelties Commiſſioners, my Lord Boyd, the Laird of Capringtoun, with the Aſſeſſours of the Moderatour, conveyne [afternoon in] Mr James Lowſons gallerie, and adviſe ſolidlie vpon ſome ſubſtantious ordour, [to be taken with them, to be propoſed to the whole Aſſembly, that the famine being found equitable may be eſtabliſhed be common conſent of the brethren.

#### Seſſio 6<sup>a</sup>.

Anent the ſummoning of the Biſhop of Orkney conforme to the command given before noon : The ſaid Biſhop being preſent and required to take his particular flock, and to doe his deutie in his vocatione of the Miniſtrie, whereſrae this while bygone he hath ceaſed, gave his anſwer, That for the inabilityie of his perſon be great and continual ſicknes, whereunto he

hath been subject, and is yet as he was, nor is not able to discharge that weighty function, howbeit he bears, as God knows, good will in all things he may to profit the Kirk, and alswa, so long as he had abilitie, he gave proof: The Assemblie appointed him to confer with Mr Andrew Melvil and Mr Thomas Smetone hereanent while the morn; and they to give direct answer to the whole Assemblie concerning the premises.

Ordeans the person suspect of the penning of the slanderous Proclamatione made against the whole Ministrie, to be summoned to compear before the whole Assemblie to answer therefore.

Anent the Citatione directed be the Moderator of the last Assemblie against Archibald Hegget and his Collegues, to answer for haunting the company of Mr Robert Montgomerie after excommunicatione of him, and due intimatione made to him thereof; and for other enormities committed be them against the Kirk and Ministrie thereof; and to hear them decerned to underly such censures as their proud contempt and obstinacie deserves, as the said Citatione bears: who being called, and James Montgomerie being present, who acknowledged his offense in speaking with the said Mr Robert diverse times since his excommunicatione, being moved, as he alledged, be reason of blood and consanguinitie: C.] The Assembly [present hath ordained and] ordaines James Montgomerie to make publick satisfactioun and repentance in the paroch kirk of Glasgou, [in presence of the Minister and Congregatione thereof,] for speaking with Mr Robert Montgomerie after his excommunicatione duellie intimat, in respect of his confessioun; and to acknowledge his offence ther, promising, in time coming, to abstaine from the lyke, vnder the paine of the censures of the Kirk: and the same order to be kept with all vther persons falling in the same offence.

[Gawn Grahame, another of the saids persons, being summoned, compeiring, and accused, granted he spake with the said Mr Robert after his excommunicatione, be reason he was his Chamberlane, but little good spake he to him: As to any violence used be him against Mr John Howeson, Protested before God he neither did any, nor gave counsel thereto, and referred him to the Laird of Minto his declaratione upon Munday; to the which day the Assembly continued farther proceeding in his cause; and ordeaned the rest not compeiring, and conteaned in the said summons, to be warned again personallie at their dwelling places, or publictly at the

parish kirk, to the effect foresaid ; certifying them if they compeir not, the Assemblie will hold their faults for confessed.

Sellio 7<sup>a</sup>.

Anent the commissiōne given in the last Assemblie concerning the Laird of Minto and his complices in Glasgow : The Assemblie hath thought meet, notwithstanding the writing given in, in his name, and subscribed with his own hand, conteaning ane offer of submission to the Kirk for his offence and violence granted be him done to Mr John Howefone, that his personall prefence be had, wherethrough the Assemblie may be farther moved to judge of his repentance ; which was promised to be done betwixt and Munday be Colonel Stewart, who accepted upon him to make the Laird forseen therof. And as to the rest of the persons conteained in the same summonds : The brethren have ordeaned them yet to be summoned to hear sentence pronounced against them, upon the process depending, upon Twisday next to come, according to the tryall and probatione led ; and the executione of the said summonds committed to Mr Andrew Hay, who promised to cause report the same execute. C.]

Anent the informatioun made to the Assemblie be my Lord of Pailay, in name of the Noblemen, interprysers of the late actioun, giving the Kirk to understand, that the grounds moving them to thair actioun [at Ruthven,] simplie were, the danger they perceived the Kirk of Scotland and religioun into, the evident perill of the Kings Majestie and his Estate, and the confusioun and misfordour of the commoun weill ; quherof as they doubt not to find good testimonie in their awin conscience, so wold they the Assemblie shew thair good lyking of the same, and give ordinance to ilk Minister, at his [pertinent] kirk, to lay out thair good ground and actioun to thair flockis ; exhorting all Noblemen and vthers quhatsoever, faithfullie to concurre with them in the said good cause, to the full prosecutioun [and followingfurth] therof : Quhilk informatioun beand well considerit be the Assemblie, it was thocht verie meet and expedient, in particular, to inquiryre and vote, If the saidis perrills, and every ane of them, was sein and perceivit to have bein be the haill brether, quherof the informatioun was made : And be full consent and vote of the haill Assemblie, declaratioun was made, That the haill brethren vnderstand the concurrence of all the saidis dangers. And

to the effect the Kingis Majesties mynd also may be gatherit twiching the same, directioun was givin to Mrs James Lowfone, David Lindefay, with the Kings Ministers, to passe to his Hienes the morne afternoone, to reason and conferre anent the laids dangers, and to open vp the samein at lenth to his Majestie, and to report his answer theranent.

Sessio 8<sup>a</sup>.

[Ordeans the Bischop of Orkney to be warned to compeir before the Assembly this afternoone, to give his answer to the demand made be the Assembly to him; whose excuse was reported be John Brand, That this afternoone he was charged to the Privie Counsell, alwise should compear on Munday.

Anent the commissioun given upon the 30 day of October 1578, concerning the Bischope of Dunkeld: The Assembly ordeans the same to be put in executione in all points, after the tenour thereof, be the Presbytrie of Perth, betwixt and the next Assembly, as they will answer to the Assembly. C.]

Anent the conference of the brethren direct to the Kings Majestie: Report was made be them vnto the Kirk, That his Hienes had confest that ther was a perrill to the religioun within this realme, and indirect courtes rune to the hurt therof, quhervnto his awin perrill was joynit; for he esteimed his standing to be joint with the standing of religioun: As also he acknowledgit fundrie abuses in the commounweill before the late interpryse of the Nobilitie; and that all good men fall concurre of dewtie to take away the danger from the Kirk, his person and estate, and to the reformatioun of the commounweill.

Anent the twa last heids left vnresolvit, [proponed] be Noblemen undertakand the late reformatioun: The hail Kirk, in ane voyce, aggreit therwith, and ordainit ane speciall act to be conceivit thervpon, and to be put in forme be the Clerk, Mrs Robert Pont and Thomas Smeitoun, to be presentit againe to the Assembly afternoone, that they may vnderstand and judge therof, if the samin aggries with the meaning of the brethren.

Sessio 9<sup>a</sup>.

[The forme of the act appointed to be penned before noon, being diverse times read, and weel weighed and considered be them, the whole brethren granted the same to be the very substance of their meaning, and agreed thereto as the same is penned, whereof the tenour follows: C.]

Anent Bischops: Seeing the great slander and offence risin to the hail Kirk of this realme, be thair impunitie and oversight, to the grief of good mens consciences, the hail Assemblie hes givin and gives commissioun to the particular Presbyteries vnder specifeit, with all possible [and convenient] diligence, to fummound and call befor them, every one of them as they be particularlie divydit in manner following: That is to say, the Presbitrie of Perth, the Bischop of Murray; the Presbitrie of Edinburgh, the Bischop of Aberdein; the Presbitrie of Mernes, the Bischop of Brechin; the Presbitrie of Dundie, the Bischop of Dunkeld; the Presbitrie of Glasgow, the Bischop of Sanct Androes; the Presbitrie of Striveling, the Bischop of Dunblane and Yles; and to accule them, and every one of them, [of the offenses following,] all or part, as they are guiltie, viz. of none preaching and ministratioun of the Sacraments, of negligence of doctrine or discipline, haunting or frequenting the company of excommunicat persons, wassing of the patrimonie of the Kirk, setting of taks aganis the acts of the Kirk, giving collatioun of benefices aganis [the tenour of] the saids actis, and, finallie, for giving slander any wayes in lyfe or conversatioun: and after due tryall, proces, and convictioun, to put ordour to every one of them, according to the qualitie of thair offences, and actis of the Assemblie, betuixt and the [nixt] meiting of the hail Kirk, as they will answer thereto.

Sessio 10<sup>a</sup>.

Anent Colledges and Univerlities within this realme: It is considerit be the hail Assemblie to be most expedient [and needfull] for the good and weill therof, that certaine good men of meit qualities be imployit to take oversight therof; and for that effect the Kirk hes given commissioun and power to thair lovit and honourable brether afterwrytin, to concurre, with such

as the Kings Majestie and Counsell directs with them, in visitatioun of the haill Colledges within this realme, as they be particularlie vnder devydit, betuixt and the last day of November nixt to come; and to confider how the rents and livings of every one of them are bestowit and imployit; how the doctrine is vsit be the Maisters and Regents, if the famein be correspondent to the act of Parliament; how ordour and discipline is keiped among the fludents and scholers; and heirin, as diffordour and defectionun beis found, to take ordour therwith according to the act of Parliament: That is to say, Mrs George Hay, Peeter Blackburne, William Chrystefone, Andro Mill, the Laird of Glenbervie, to visite the Colledge of Aberdein; Mrs David Lindefay, Robert Pont, Nicoll Dalgleisch, Thomas Buchannan, the Laids of Lundie and Colluthie, with Mr David Russell, Commiffar Clerk of Sanct Androes, the Vniverfitie therof; Mrs James Lowfone, Johne Duncanfone, Walter Balcanquell, John Porterfield, the Laids of Keir and Greinock, with Adame Wallace, Bailgie of Glasgou, the Colledge therof; and quhat heirin beis done be them, to report againe to the nixt Affemblie.

Sessio 11<sup>a</sup>.

[The same day the Act concluded upon Saturday twiching the present actione of the Nobilitie being read, because some of the brethren were not then present as of before, the same was agreed, and ordeaned to be registrate among the Acts of the Affemblie; the tenour wherof follows:

For as meikle as the Noblemen and others joyned with them in the late actione of the Reformatione, willing the Affemblie and the whole professors of true religion to understand the ground and occasion moving them to repair towards the Kings Majestie, to seek redrefs of the difforders that were fallen out in the common weale, have made publiet and solemne attestatione to the whole Affemblie, That the motives and grounds of their good cause were and is, to deliver the Kirk of God within this realme, and the true religion professed within the same, from evident and certane dangers, wherein all men perceived the same to stand; as also to preserve and guard the innocent person of the Kings Majestie and his Royal Estate, being in no less perril then the other; and to remove and purge the great corruptiones and confusion entered in the bodie and estate of this common



weale ; wherein as they are weel perswaded to have done good service to their God, their bound and natural duetie to their Sovereigne and native common weale, so would they, the brethren in this Assemblie, and all that fear God, should judge and esteeme of their lawfull aëtioness, and declair their weel lyking and approbatione of the same ; and further should give out aue ordinance to the whole Pastours and Ministers within this realme, at their particular kirks to declare publictly to their congregations, their good aëtioness and grounds thereof ; exhorting all Noblemen, Barrons, and other faithfull men whatfomever, to give their good concurrance and assistance to the same : Which petitione and desire, with the whole circumstances thereof, being weil weighed and deeply considered, and the said brethren, in the fear of God, with common and mutual deliberatione, resolved, found, and voted but contradictione, That not only the Kirk of God within this realme, and the true religion preached therein, but also the Kings Majesties most noble person and his kingle estate were and flood in extream danger and hazard ; besides the manie grofs abuses that had invaded the common weale, before the said Noblemen had entred in the said aëtioness ; whereof also it had pleased the Kings Majestie to give that for declaration unto Colonell Stewart his Commiffioner, Mr James Lowson, Mr David Lindsey, and his Graces Ministers being directed from the Assemblie to his Majestie for the same effect ; and therefore the said brethren cannot but think that their Honours, imploying themselves unto the averting of all thir dangers, have done good and acceptable service to God, their natural and bound duetie unto their Sovereigne, and shown their carefull affectione to their countrie ; and that the prosecutione and following out of the said good and godlie cause, all particulars layed aside, is and shall be most acceptable to all that fear the Majestie of God aright, tenders the preservatione of the Kings Majesties most noble person and estate, loves the prosperous and happie success of the troubled natione : and to the effect that the said aëtioness and grounds thereof might be the more manifest and nottour to all men, it is thought expedient, that every Minister at his own particular kirk, publictly, at the first occasion, lay out the dangers and perrells wherein the Kirk of God, and true religion within this realme, the Kings Majesties person and estate, the whole common weale flood into, open up the grounds and aëtion of the said Noblemen ; recommending the same to all of whatfomever estate, with exhortatione to them, as they love and tender the glorie of



God, the prosperous estate of their Sovereigne, and the happy standing of the common weale, faithfully to concurr and joyne with the said Noblemen, and others foresaid, following out the said grounds to the full deliverance of the Kirk, the Kings person and estate, and reformatione of the common weale : and if any man be found, either be word malicioullie, or violently be way of deid, to oppone him unto the said good cause, that he be called in the particular Elderships, and order put unto him be the censures of the Kirk ; and in case of obstinacie and willfully continuing therein, to be delated to the Kings Majestie and his Counsell, to be punished for his offence civile. C.]

Ordaines the Kings Majesties Advocate to be summoned [to compear] before the Assemblie immediatly ; and to that effect the officiar of the Kirk beand direct from the Assemblie, answer was returned, He was in Herdmanstoun ; and heirfor was ordained to be summoned be ane citatioun to Wednisday, to answer simplè, If he was the former or dyter of the slanderous Proclamatioun sett out against the Ministrie, and for opposing him to the lauchfull proceeding of the Kirk ; certifieing him, if he compeir not, they will proceed as appertaines.

[Hereafter] the act concerning the actioun of the Nobilitie being red to the Commissioners of Edinburgh, after advyseing therewith apart, they vottit and agreeitt therto with the rest of the brethren, [as is before mentioned.]

#### Sessio 12<sup>a</sup>.

[Anent the private conference had twiching the provisiōne of Sanct Andrews of a Minister, and likewise of some helpfull members for promoting of the work of the New Colledge : It was declared to be expedient, in respect the brethren in the said conference had brought the said matter in the ministrie thereof to some good head, upon the resolutione thereof hope was of a good answer, that certane should be direct to the Kings Majestie and Counsel, to treat upon such things as the said brethren should think meet for the advancement of the cause : To which effect the brethren directed Mr Andrew Hay, and John Duncansone, and to report answer the morne, as concerning the help of the New Colledge. The doubts and difficulties proponed be Mr Thomas Buchanan, as weale concerning

his actiones in the law, as if a Minister for a season leave the Ministrie and execute the office of the Doctour, being discussed as follows, to wit, that the brethren above mentioned should be direct to the Lords, to seek performance of their promises made for expeditione of the said Mr Thomas his cause, and that C.] it is leifum for a Minister for a season to superfeid the Ministrie, and vse the office of a Doctour: Therfor the Assemblie hes concludit and ordainit Mr Thomas Buchannan to entir in the New Colledge, and vse and exerce the office of a Doctour ther for the support of the famein; his kirk being alwayes provydit of a sufficient Pastour, and the said Mr Thomas sufficientlie satisfied anent the promise made for expedition of his pleyis.

[Anent the commissiōne given to Mr Andrew Melvil and Mr Thomas Smetone to conferr with the Bishop of Orkney, and report his answer to such things as were given to them in charge to propone: Their answer was, That as concerning a particular kirk, his age, and inabilitye of bodie, and weaknes off memorie, as he alledged, suffered him not to accept that weighty charge, albeit he be alwise minded to doe all his good obfervance to the Kirk: And as to the provisiōne of all his kirks, nottour it is how he received a dismembred benefice scarce with 500 merks at his entrie; yet concerning the Kirk of Arth, he shoud make moyan to help the same. The Assemblie ordeaned the Presbytrie of Edinburgh to trie his habilitie to travel in the Kirk of God, and if he be found able to discharge the functione of the Ministrie, to appoint a particular flock to him; and concerning other complaints to be given in against him, to take order therein according to the acts of the Kirk, betwixt and the next Assemblie. C.]

[Compeired] the Erle Bothwel, [and] declairit in presence of the hail Assemblie, that as he profess the true religioun preachit in this realme, befor his departing furth of the same, so len his departing, continuallie as get continuut in the same mynd to die and live therin be Gods grace, [willing no other opinion to be conceived of him; for the which declaratione all the brethren being heartily glad praised God for the same.

### Sessio 13<sup>a</sup>

Anent the actione concerning Gaun Grahame in Glasgow: The said Gaun being called as of before, denied before God that he aither gave

counſel to the Laird of Minto or any others, to doe the violence which was done to Mr John Howefone, or yet be his prefence affifted the deid ; and therefore the matter being given to probatione, and the Laird of Minto, the Laird of Hart Gray, and Mr James Stewart being received witneſſes in oppoſitione made be him againſt them, and they being fworn, and their depoſitiones openly taken, the Aſſembly continued their determinatione in the ſaid cauſe till the morne, and alſo ſuperſeded the cauſe againſt the Laird of Minto, warning him perſonallie unto the ſame.

Anent the preſent variance ſtanding within the bowels of Edinburgh : The Aſſembly ordeans their brethren, Mr Andrew Melvil, Mr Thomas Smetone, Mr John Rutherford, Mr James Balfour, the Lairds of Carnel and Barr, the Good man of Carbarrie, Patrick Kynmouth of Challenge, to travel betwixt the parties, to propoſe to them the inconveniences following their diſſenſione, exhort to peace and conſtant unitie ; and if any queſtion civil be among them, conſtantlie to compone the ſame, or otherwiſe without grudge that their contraverſies may be lawfully decyded be ſuch as have power.

#### Sefſio 14<sup>a</sup>.

Anent the proceſs depending againſt Gaun Grahame, and the tryall taine yefterday : The Aſſembly being reſolved with the depoſitions of the witneſſes takin in the ſaid cauſe, Finds him guilty of the counſel given to the Laird of Minto, in the violence uſed againſt Mr John Howefone : As to the order and diſcipline to be uſed againſt him, refers to be conſulted upon in the privie conference. C.]

Anent the proceſſe uſed againſt the Laird of Mynto : In reſpect of his compeirance perſonallie [this day] and geſterday, confeſſioun of his offence, and ſubmiſſioun of him to the Kirk ; the Aſſembly [and brethren preſent] hes referrit the diſcipline and ordour to be viſit againſt him, for ſatiſfying of the ſaid offence, to the judgement and diſcretion of the Preſbyterie of Glaſgow ; and the ſame forme to be obſervit be them with John Grahame, Elder ; and quhat heirin beis proceidit, vpon the part of the Preſbyterie, and vpon the part of the ſaids perſons, to report to the nixt Aſſembly.

[Anent the citatione uſed againſt Coline Campbel and his colleagues to

hear the sentence of the Assemblée pronounced in the proces depending against them: None compearing except John Grahame, the Assemblée continued their pronouncing in the matter while the morne.

Anent the summonds execute against Archibald Heget and certane his colleagues, to answer for haunting companie of Mr Robert Montgomerie, being excommunicat, after due intimatione to them thereof, and for other enormities done be them against the Kirk; certifying them if they compear not, their offenses should be holden as confessed, and the Kirk would proceed to use such censures against them as their offense deserves: Which citatione being called, and none compearing, except the Laird of Knockdolian, who grants the Bishope to have eaten and drunken once or twice in his house since his excommunicatione, but no familiaritie used be him, for which he would come in the Kirks will; and supplicationes presented for John Campbel and John Spreul: The Assemblée continued this matter to farther deliberatione while the morne, at their nixt Assemblée.

Concerning the citatione directed against Mr David Mackgil: The famine being before and after noon called, the same was continued till the morne. C.]

#### Selfio 15<sup>a</sup>.

[Anent the citatione directed against Archibald Heget, John Grahame, Younger, Hector Stewart, Coline Campbell, John Spreul, Elder, William Heget, John Mure in the Briggate, Robert Grahame of Knockdolian, and his spouse, Robert Stewart of Fubar, to have answered for haunting and using the companie of Mr Robert Montgomerie after his excommunicatione, the famine being intimate to them, and for other enormities done be them against the Kirk, as the summons at length beirs: Which being called, and none compearing, except the Laird of Knockdoliane, the Assemblée ordaines the laid Archibald Hegget, John Grahame, Younger, Hector Stewart, John Sprewle, Elder, William Hegget, Robert Stewart of Fowbar, for their contumacious absenting them from the Generall Assemblée, being diverse tymes summonsed therto, dispyfing and contemning thereby the voice of the Kirk, to make their publick and solemne repentance in the Kirk of Glasgow, in presence of the congregatioun therof, after the forme to be prescryvit to them be the Presbitrie of Glasgow, to quhom

the Kirk committs the executioun heirof; and also to trie diligently, and enquire against them, and the whole rest of the saids persons, the points and accusatiounes above specified; and according to the acts and laws of the Kirk, to proceed and put order thereto, as they will answer to the Assemblie. C. & B.]

Anent the proces deduceit aganis Colein Campbell, Malcolme Stewart, Hectour Stewart, Johne Grahame, Elder, Gawin Grahame, and Archbald Hegget, concerning the violence done to Mr Johne Howefone in the judgement seate of Glasgou, &c.: The saids haill persons being cited to this Assemblie, except the said Walter Stewart, to have heard the sentence of the Kirk in the said matter, and nane compeirand except Johne Grahame, Elder, with quhom the Assemblie hes [alreadie] takin ordour, and Gawin Grahame; The Assemblie decernit and ordainit the said Colein Campbell, Malcolme Stewart, Hectour Stewart, Archbald Hegget, and Gawin Grahame, for thair offence forsaid, to be excommunicat publickly in the Kirk of Glasgou be Mr David Weynis, Minister therof, with advice of the Presbyterie therof, [and to be cutt off from the societie and fellowship of Christs people; and likewise the said Presbytrie to call before them the said Walter Stewart, who was not summoned to this dyet, and to discerne him likewise to be excommunicate for the said offense, and appoint a special person to the executione thereof; and to report their proceedings in both to the nixt Assemblie.

Anent the summons direct against my Lord Advocate continued to this day: His Lordship compeiring in Assemblie, excusing his absence, desired to have short space to advise with the tenor of the Proclamatione, and a sight of such other particulars as he is burthened with, wherein he should simplie make his answer as God should judge him: which granted to the morne at 10 hours, and the particulars to be given him after noone. C.]

#### Sessio 16<sup>a</sup>.

[The brethren appointed to forme the Articles presented the samine, which were red and allowit be the Assemblie as meitt to be proponit; whereof the tenor follows: C. & B.]

1. Seing the spirituall jurisdic*t*ioun and government of the Kirk is

grantit be God the Father, through our Mediatour Jesus Chryft, and givin only to them that preaching, teaching, and ovrſeing, beare office within the ſame, to be exerciſed not be [the] iniunctions of men, bot be the only rule of Gods Word; That the act of Parliament, concerning the libertie and juridiſtioun of the Kirk, be ſo plainly declarit and enlargit, that heir-after none vther of quhatſoevir degrie, or vnder quhatſoevir pretence, have any cullour to aſcryve or take vpon them any part therof, either in placing or diſplacing Miniſters of Gods Word, in ſpirituall livings or offices, without the Kirks admiſſioun; or in ſtopping the mouthes of preachers, or putting them to ſilence; or takeing vpon them the judgement in tryall of doctrine; or of hindering, ſtaying, or diſannulling the cenſures of the Kirk, or exeiming any offender therfra.

2. That the Preſbyteries, conſiſting of Doctours, Paſtours, and ſuch as are commonly callit Elders, now according to Gods Word, and the Kings Majeſties directionn, appointit in diſerſe parts of this realme, for diſcipline, ordour keiping, and judgement keiping, in eccleſiaſticall affaires, be approvit and eſtabliſhit be authoritie, and paines preferyvit to them that ſlubbornly oppones themſelves.

3. That the Synodall Aſſemblies conſiſting of diſerſe Preſbyteries, and Generall or Nationall conſiſting of the hail, be approvit, [and] be vertue of acts of Counſell preſentlie, and Parliament heirafter, have power to conveye ſo oft as occaſion fall requyre, to advyſe, intreat, conclude, [and] make ordinances in ſuch things as concerns the weill of the Kirk, and their charge in doctrine and diſcipline, with libertie to appoint tymes and places for that effect.

4. That Preſbyteries, or ſuch as they will direct of their awin number, have the ſame power in designationn of manſes and gleibs, and reparation of kirks, that the Biſhops, Superintendents, or Viſitours had before.

5. That every Kirk have their awin ſeverall Paſtour, to be ſuſtainit on the teynds of the parochin quher he ſerves; and to that end, that the manſes of kirks annexit to great benefices or prelacies be diſſolvit, penſions givin out of the thrids, and tacks ſett [out] of the ſame, be the collectours, or poſſeſſours having their thrids in their awin hands, be revockit.

6. That of the temporall lands of every Abbacie, Pryorie, Biſhoprick, Nunrie, &c., ſo meikle may be applyit to the ſchools as may ſufficientlie mantaine ane ſufficient number of Maſters and Burſers, according as the living may beare, in place of Cannons, Monkes, Nunnes, or vther idle



bellies; the ane to teach, and the vther to passe thair course afweill in philosophie in all Vniverlities as in Theologie, according to the act of Parliament made in the foundatioun of the Colledge of Sanct Androes, that the Kirks may be once plantit with sufficient learnit men.

7. That provioun may be, how the commoun affaires of every Presbitrie may be borne, such as visitatiouns, Commissioners direct be them for sundrie occasions, Scribes, executionn of thair summonds, decreits, &c.: quhilk to our judgement shold be sustaint be the Bischops rents.

8. That the Kirk be restorit to the thrids, according to the act of Parliament and contract made be the Erle of Mortoun; because we have found ourselves greivoullie hurt be giving them out of our awin hands.

9. That the presentatioun of benefices be directit to Presbitries [of the bounds] quher the benefices lyis, that be them, after due tryall, the qualified person may be admitted.

10. That no presentation be givin to any man with a blank therwith, for thair filthie greid, to gang throw the countrey making [shamefull] merchandise, and seiking quho will offer most, or take leist; but that such be cheiflie regardit as be the Presbitries or Vniverlities salbe recommendit to the Kings Majestie or [other] laick patron.

11. That [it] be enactit, that Ministers, who, throw age or seiknes, or vther accidents, becomes vnable to execute thair office, may bruike thair livings dureing thair lyfe; and provioun made how the Kirk in the meantyme wilbe served.

12. That such Ministers quho are deposed or excommunicat in any tyme, thair benefices, stipends, or ecclesiasticall livings quatsoever to vaik, and vther qualified men provydit therto.

13. That such as are knowin to be papists, and notwithstanding thair oathes, hand wrytis, and outward obedience, are tryed to have returnit to thair vomit and made apostacie, wayting still the tyme and occasioun to cutt the throats of the godlie, may be punishit as traitours to God and our Sovereigne, be banishment or vtherwayes.

14. That no societic, league, or friendship be made with the papists in France, Italie, Spaine, or vther countreyes, be commoun or particular consent.

15. That the lyke law be made for the defence and preservatioun of the Preachers of the blessed Evangel agains violence and oppressioun, as is grantit in favours of the Lords of Sessioun.



16. That remedie may be found how spirituell livings and teyndes transferrit in temporall lordships, may be restorit againe for the sustentationn of the Ministers, poore, and schooles.

17. [That] the Colledge Kirks quhilk are destitute of Ministers [and Pastors,] be reason of the thrids givin in the Colledge hands, may be provydit be sufficient stipends out of the thrids, conforme to the act of Parliament made theranent.

18. That buriall in paroch kirks, be act be dischargeit, and a speciall punishment appointed for transgressours.

19. That the diminutioun of the rentalls be a sufficient cause of reduetioun of tackis and fewis, and that diminutioun be comptit asweill the imparing of silver rentall de liquido in liquidum, as conversion of victuall in small pryces, that is, vnder such reasonable pryces as victualls gives for the tyme.

20. That every beneficit man find catioun, at his entrie, to recompence quhat hurt foevir he dois to the benefice.

21. That it be leifum to no beneficit man, Prelate nor vther, to sett any tackis or fewis heirafter; and that they be bound to repare quhatfoevir hurt they have done to thair livings agains the lawis.

22. That it be declarit quhat tacks or fewis are lawfull; and that two or thrie nyntein zeirs or lyferent taks, made aganis all law and conscience, be annullit and declarit of none effect.

Certaine Articles presentit be the Generall Assemblie, and most humble craveit of the Kings Majestie and Counsell, for redresse of the manifold enormities fallin furth to the wrack of the Kirk and Common weill.

1. That the slanderous Proclamatioun givin foorth at Perth, the 12 day of Julij, and published in all townes and paroch kirks, and to the perpetual infamie of Gods servants imprinted, may be perused and diligentlie considerit; and [to] try if any Minister be culpable of such odious crymes as therin are layit to thair charge; and in cace that they be found culpable, to punish them with all rigour of law; vtherwayes, that the givers out of such blasphemous reports, and devysers and dyters of that infamous

lybell be punischt accordinglie ; and that, be act of Counsell and oppin proclamatioun, the Ministrie be declarit innocent of such haynous and wicked crymes.

2. That the vnaccustomit violence vsed aganis Mr Johne Howifone, drawing him out of the Justice seate of the Presbyterie, dinging, and casting him in prison, and aganis Mr David Weymis, Minister of Glasgow, be so punischt that nane heirafter be bold to attempt the lyke.

3. That Coline Campbell, burges of Glasgow, William Hegget, Archbald Hegget, and thair complices, be punischt according to justice for the feditioun and vproare made be them, being Magistrates and Counsellours, aganst the Students of Glasgow, and shedding thair blood.

4. That the Proclamatioun latelie made for the libertie of the Assemblies, may be enlarged, and more plainly sett forth.

5. That your Lordships will give the Kings Majestie to vnderstand, how wickit instruments they were that perswadit his Grace to allow and take vpon himselfe all the mischeifes and vngodlie proceedings, quherat the Kirk, his Grace and countrey, were brocht to such miserie and danger.

6. That all acts of Counsell made aganst Presbyteries and Assemblies, charging them to desist from proceeding in discipline and ecclesiasticall censures aganst slanderous persones, be annullit and delatit out of the books : [Likewise,] that the act made aganst John Durie be delatit.

7. That his Majestie and Lords will wey quhat great inconvenients and absurdities falls furth vpon the act of Counsell made concerning [the] absolute power ; and for removing therof, to delate the same, nevir to be remembrit heirafter.

8. That his grace and Lords provyde and carefullie foirlie, that [be] the wicked practife of dimissioun [or] associatioun of authoritie, the Kirk, Kings Majestie, and countrey, be not hurt ; and that the same be stayit in tyme.

9. That the stipend appointit for the Minister of Striveling, and now wickiedlie purchast be Mr Robert Montgomerie to his zong sonne, be restored againe for [sustentatione of] a qualified man to teach that flock, quhilk, be his vngodlie dealing and apostasie, hes bein so long destitute.

10. That it will please your Majestie and Lords to have pitie and compassion on that noble and godly man, James Hamiltoun, Erle of Arrane, sometime a notable and comfortable instrument in reforming the Kirk of God, and now visit be the hand of God, and vnder pretence of law bereft.

11. That Commillioners be deput in every part, for vilitatioun of the Colledges, betuixt and the laft of Noveniber.

The General Affemblie gives thair full power and commiffioun to Mrs George Hay, Andro Mill, James Balfour, William Chrystefone, Patrick Galloway, Andro Melvill, David Fergusone, Thomas Buchannan, Patrick Gillespie, James Lowfone, David Lindefay, Robert Pont, Andro Hay, Thomas Smeitoun, Johnne Young, Andro Polwart, Andro Clayhills, Johnne Knox, Patrick Gaies, Peter Watfone, with the Kings Majesties Miniſters, to paſſe vnto the Kings Hienes, his noble Counſell and Eſtates preſentlie affemblit at Halirudehous, and to his Hienes Parliament, when the ſamein fall happin to be haldin, [and with all humilitie, due reverence and ſubmiſſione, offer and preſent articles, complaints and greeves of the whole Affemblie, deſiring his Hienes and Nobilitie to conſider the famine, and to give good and gracious anſwer therto; and to that effect, if need be, to reaſon and conſerr as they ſhall be required, and hereanent with all carefulnes to travel with his Hienes and preſent Conventione, and await upon thair good anſwer, to be reported again by them to the nixt Affemblie: firme and ſtable, &c. C. & B.]

### Seſſio 17<sup>a</sup>.

Anent the matter depending aganis the Kings Majesties Advocat: His Lordſhip being preſent deſyrit the Affemblie to conſider wilelie if they allowit the forme of proceidings againſt him, being ane officer to his maſter the Kings Majestie, callit his allate, [allane,] vpon the alledgit forming of ane Proclamatioun givin out in the Kings Majesties name, vnder the title of a Declaratioun, and concludit be authoritie of his Counſell; and as they fall find be their wiſdome, he wald not contemptuoullie reſuſe to anſuer to every point [which they had] to lay to his charge: With the quibilk deſyre the brethren being advyiſt, Fand, that in reſpect of the ſlander caſtin be his perſon, he may and ſould be callit ſimplie to give his declaratioun for removing therof; quherwith he being content, plainlie and oppinlie taking the name of God to his witneſs, declarit, He neither inventit, pennit, nor formed the ſaid Proclamatioun, bot, at the deſyre of the Dukes Grace, tranſlatit the laſt part therof in Scotts, concerning his declaratioun, quhilk

was in French ; and furdur did nothing in the haill Proclamatioun. As to the remanent heids, they were anfuerit fummariie, and the brethren appeirandlie fatified.

Sessio 19<sup>a</sup>.

[Anent the attendance upon the Platt in case any need require the famine : The Assemblie ordeans the Commissioners nominate to present the Articles, to appoint brethren thereto. C.]

The brethren appointit to present the Articles to the Conventioun of Estates and Parliament, reportit, That the Lords craueit the advyce of the Kirk, quho fould fitt in thair names to vote in Counsell or Parliament, feeing they are vpon the ordour taking of a Counsell, confisting of thrie Estates : For the better refolutioun heirof, it was thocht meitt heirin to vnderftand the plaine meining of this propofitioun at Lords felves, and therfor the brether to be conveinit ther at afternoon.

Sessio 20<sup>a</sup>.

Anent the propofitioun made before noone concerning fuch as fould fitt and vote in Counsell and Parliament in name of the Kirk : The matter being opponit be the Lords, thair propofitioun was, Whether if the Kirk will aggrie, that fome of the Bifchops be vpon the Counsell for the Kirk.

Thereafter the Assemblie conveining themselves together, refolvit, That they could not aggrie that any fould vote in the name of the Kirk [there], bot they that beares office in the Kirk, and are authorizit with commiffioun of the Kirk, to vote and fitt ther ; and ordanit thair anfwer to be returnit to the Lords be Mrs George Hay and Thomas Buchannan immediatlie.

The next Generall Assemblie to be at Edinburgh, the 24 day of Apryle next to come, except fome neceffar occafion of fooner meiting fall out, be advertifement of the Presbiterie of Edinburgh.

Proclamatione dated at Perth the 13 of Julie.

James, be the grace of God, King of Scots, to our lovits

Messengers, our Shirriffs in that part, conjunctly and severally specially constitute, greeting : Forfameikle as it is humbly meaned and shewn to us be our weel beloved, the Reverend father in God, Robert Montgomerie, Archbishop of Glasgow, that where he hath been and dayly is trubled and persived be certane Ministers for acceptatione of our promotione to the said Bischoprick, and alledged aspyring to the persuing of the said Ministers for non admissiōe of him thereto, and some certane promise made be him thereanent, and other circumstances depending thereupon, heard and considered be us and the Lords of our Secreet Counsell already ; whereby the Ministers convened in the late Generall Assemblie, Synodall Assemblies, Presbyteries, Elderships, and others whatsoever were discharged of all using Citationes, or pronouncing of Sentences of Excommunicatione, against the said Reverend father, or otherwise troubling or molesting of him for the pretended cause before rehearsed, of the which he hath never yet been duely convicted, or orderly called to his answer therevpon, as our Decreit in recent memorie bears : and We and our Counsell being credibly informed, that the said Ministers, notwithstanding the premisses, in a strange and unaccustomed manner used heretofore, since the establishing of the true and Christian Religione within our realme, have pronounced the said sentence of excommunicatione against him, not only to his heavy slander, but also to the great hurt and derogatione of our authority, and dangerous example to be followed, without any ground or formall order of law received within our realme, appointing or allowing any such forme ; nor the like ever hath been put in practife in any realme or common wealth where the Gospel is received : wherefore, and to the effect that the said sentence should not prejudge the said Reverend father, till, be a lafull and formall order to be established and allowed be our Estates, he be orderly called and convicted of cause justly meriting excommunicatione, it was thought expedient be us and our said Counsell, be our other letters under our subscriptione and signet of the date the 12 of June last bypast, to grant him licence and liberty not only to stand in judgment to pursue and defend all and whatsoever cause depending, or to be pursued be him or against him, before whatsoever Judges of our realme,

notwithstanding the sentence of excommunicatione pronounced against him, or any of our laws, acts of Parliament, or statuts made anent excommunicatione, or any pains conteaned therein, anent the which we have dispensed be our said other letters; but also the said letter to grant, discern and declare, that the said Reverend father, for the said present excommunicatione, shall incur no skaith nor danger, nor the persons whomsoever shall refet, supplie and intromet with him, as our said other letters of Dispensatione granted thereupon, at more length proports: Notwithstanding whereof, the Elders and Presbytrie of Stirling have directed their precepts, and therewith caused summond Robert Ramfay, Nottar, Steven Aikman, Gilbert Christefone, and Margrat Roye, to compeir before them, at the parioch Kirk of Stirline at a certane day, to answer, at the instance of the Kirk, for receiving in their houses, and enterteaning of the said Reverend father, bearing of him company, in eating and drinking and familiar talk with him, being excommunicate as they aledge, after that intimatione was made to the saids persons of the said excommunicatione, and therefore to hear and see themselves decerned to underly the censures of the saids Elders and Presbytrie, as their precept directed thereupon at more lenth proports; wherethrow, not only the saids Elders and Presbytrie intends to proceed in their pretended manner against the foresaid named persons, and pronounce the said sentence of excommunicatione against them, for the former cause conteaned in the said precept; but also, as the said Reverend father is certainly informed, the Moderators, Elders, and Presbyteries in Glasgowe, and others our burrow touns, and touns of our realme, where Elders and Presbyteries are constitute, that the Ministers, where he hath resorted since the time of the said excommunicatione, and where he shall happen to resort hereafter, intend in like manner to summond before them, all such persons as already have or shall intercommune with him, receive him in their houses, or give him meat or drink, to hear the said sentence of excommunicatione given against them, not only to the hurt and slander of the said Reverend father, and of the foresaid persons, but also to the derogatione of us and our authority; a dangerous preparative, in case good remeed be not provided: Our will is herefore, and We charge you straitly and commands, that incontinent thir our letters seen, yee pass, and, in our name and authority, command and charge the Moderator and Elders of our burgh of Stirline, Glasgowe, and other our burrows touns, and touns of our realme, where the said Elderships and Presbyteries are constitute, that they

defist and ceafe from all farder directing of any precepts, or citationes, using of any censures of excommunicatione, or any proceeding therein, against the said Robert Ramfay, Steven Aikman, Gilbert Christefon, and Margaret Roye, or any other of our subjects, for intercommuning with the said Reverend father, receiving him in their houses, or giving him meat or drink, under the pain of rebellione, and puting of the saids to our horn; with certificatione to them, if they fail, our other letters shall be directed simpliciter to denunce the dissobeyers, our rebels, and put them to our horne and escheat, and bring in all their moveable goods to our use, for their contemptione: But to the effect that none of our faithful and obedient subjects pretend ignorance of our saids letters of Dispensatione twiching this excommunicatione foresaid, against the said Reverend father, or them that have or fall happen to intercommune with him, receive him in their houses, give him meat and drink, shall incurr no danger therethrough, in their bodies, lands, benefices, livings, goods, nor geir, We command and charge you, that you pass to the mercat croces of our burghs of Perth, Stirlene, Glasgowe, and other our burrows, and places needfull within our realme, and there, be open proclamatione in our name and authority, make publicatione and intimatione of the premises of our said other letter of Dispensatione granted be us, with advice of our said Secret Counsell, in manner foresaid, as yee will answer to us thereupon; because We and our Counsell have seen the letter of Dispensatione above writen; and also, because it is remitted to the Conference, how, in what manner, and for what causes, excommunicatione should be given and pronounced. The which to do, We commit to you conjunctlie and severally our full power be thir our letters, delivering them to you duely execute, and indorlit again to the bearer.

Given under our Signet at Perth the 13 of Julie 1582.

Ex deliberatione Dominorum Consilij.



Apud Castrum de Striueling xxj die mensis Septembris, anno  
Domini J<sup>co</sup> V<sup>e</sup> lxxxij.

Sederunt.

Jacobus Comes de Glencarne.	Computorum Rotulator.
Willielmus Comes Gowrye.	Clericus Registrari.
Commendatarius de Dumfermling.	Clericus Justiciarie.
Commendatarius de Culros.	Prepositus de Dundie.
Commendatarius de Cambuskyneth.	

Declaratioun of the Kingis Majesteis intentioun and meaning anent  
his last Proclamatioun made at Perth.

Forfamekle as it is humelie menit and havelie complenit to oure Souerane Lord and Lordis of Secrete Counsale, be the Ministers of Godis Word, That be his Maiesties Proclamatioun daitit at Perth the twelst day of Julij last bypast, publisched in diuers partes of this realme, and ordanit to be intimat at all mercat croces and paroche kirkis within the same, bearing that fals brutis ar geyin furth, divulgat and publictlie decleamit, vnder coulour of religioun, and titill and name of the Kirk, to fleir his Hienes gude subiectis in thair contempt, and to neglect thair dewtie and obedience aucht to his Hienes, commanding and chargeing all and fundre Erlis, Lordis, Barones, Ministers, and all vtheris his Maiesties liegis, to desist and ceis fra all publesching, preitching, reporting, or affirming of sic fals brutes and manyfest levis, exhorting thame not to be movit to ony Conuentioun or Assenbleis, vnder quhatsumeuir title or names, except his Hienes aduise and directioun had thairto; certifeing thame that dois in the contrar, that they salbe repute, haldein and pyneist as makers of convocatioun of his Hienes liegis, disquietaris of commoun peax, rebellis, and ennemeyis to his Maiestie his auctoritie and lawes. Be the wordis of the quhilk Proclamatioun, the auctoritie and libertie of Godis Word in fre reproving of syn and iniquitie, and the preuilege grantit to Godis Kirk, and in all aiges obseruit, and speciallie sen his Hienes coronatioun, in the convocatioun of the Generall, Synodoll, and Particular Assenbles, at all tymes convenient, is thocht to be inhibite and put vnder iniunctiounis in ane new

and strange maner, quhilk wes not, nor is not his Maiesties meaning : Quhairfore his Maiestie hes declarit, and be thir presentis declaris, that his Hienes trew intentioun and vnfeingit will neuir wes nor is, to resist or put stay or iniunctioun to the fre preaching of Godis Word, in reproving of syn and iniquitie, as be the same Word occasioun is offerit, nor git to stop the conventionis of Generall, Synodoll, or quhatsumeuir particular Assemblies of the Kirk and Ministeris, at all tymes requisite, according to the Word of God, and lovable vse and custum obseruit heirtofore ; willing thame to proceid as Godis Word directis, as be vse and custum hes bene ressauid, notwithstanding the said Proclamatioun maid, or ony vther to be maid in the contrar ; anent the quhilkis his Maiestie dispensis for euir : And, with aduise of the Lordis of his Hienis Secrete Counsaile, ordanis letters to be direct to officiaris of armes, Schireffis in that part, chargeing thame to pas to the mercat croces of the heid burrowis of this realme, and vtheris places neidfull ; and thair, be oppin proclamatioun, mak publicatioun of the premilles, that nane pretend ignorance of the same.

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A. D. M.D.LXXXIII.

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THE Generall Affemblie conveinit at Edinburgh in the New Kirk,  
the 24 day of Apryle 1583: Where there were present the Com-  
missioners, &c.

Exhortatioun made be Johne Brand, in place of Mr David Lindefay, last  
Moderatour, be reason of the same Mr David Lindefays departing [in  
companie] with the Kings Majesties Ambaffidour: Leits, Mrs Thomas  
Smeitoun, David Fergufone, and Johne Brand: [Be pluralitie of votis,]  
the said Mr Thomas was electit hac vice.

[Mr James Lowfone, Mr Robert Pont, Mr David Lindfey, Mr Andrew  
Hay, Mr Andrew Melvil, Mr Andrew Polwart, Mr Peeter Bleckburne,  
David Fergufon, and Mr Alexander Arbuthnot, were ordeaned to advise  
with the Moderator, upon such heids as were to come in reasoning before  
the Affemblie, everie day, as they shall think expedient, before they enter  
to the Affemblie, not prejudging the libertie of the brethren in any thing.  
C. & B.]

Sessio 1<sup>a</sup>.

[Anent the departing of Mr David Lindfey, Minister at Leith, in com-  
panie with the Kings Ambaffiadour: The Affemblie understanding the  
same to be his Hienes will, and of his Counsell, think it resonable his Ma-  
jesties command be obeyed, praying God to give good successe to their good  
proceedings whatsomever; alwise desires the said Mr David, after their re-  
turn, to convene with the Moderator and his Assessors before the Affem-

blie, to conferr hereanent with them, where if any matter or particular re-  
sults, necessary to be opened up, that the whole Assemblie shall be hearers  
thereof; and, for supplement of his place in his absence, ordeans Mr John  
Craige, or John Duncanson, upon the Sunday, to occupy his roome while  
his returning. C.]

Sessio 2<sup>a</sup>.

The Assemblie ordaines [their brethren,] Mrs Johne Craig, Johne Du-  
rie, and Alexander Hoome, to passe [down] to the Kings Majestie, and  
humble desyre his Grace to send Commissioners in his name, to assist this  
Assemblie in treating and concluding in matters [therein] proponit; and  
farther to desyre his Hienes, seeing his Ambassadour is departing to England,  
to give a charge to him to travel, that ane vnion and band may be made be-  
tuixt his Grace, and her Majestie, and vther Christian Princes and realmes  
professing the true religioun, for defence and protectioun of the Word of  
God and professours therof, against the persecutioun of Papists and confede-  
rats joynit and vnited together be the bloody league of Trent; and also, that  
her Majestie wald disburdein their brether of England, of the yocke of cere-  
monies imposed upon them against the libertie of the Word; and vpon thir  
thrie heids to report her anliuer againe.

[Anent the commissione given in the last Assemblie, concerning the con-  
stitutioun of Presbyteries, where they were not yet erected: The said com-  
missione being read, and the particular executioun therof being required,  
it was found, for fundrie reasonable impediments alledged be Mr George  
Hay, that Ross, Cathness and Sutherland were not established as yett; for  
performance whereof, the Assemblie continued the commission given of  
before, desiring the said Mr George, and his brethren, Commissioners with  
him, to travel gentillie betwixt and the next Assemblie.

As to Murrey: A platt was made of the erectioun thereof, which was  
given in write, and committed to the sight of Mr Robert Pont, to be pre-  
sented again with his judgment to the Assemblie.

Anent Aberdeen: Because of the Principalls absence, who is shortly  
looked for, the brethren continued the trial thereof while his coming.

Anent the ordinance given out in the last Assemblie, concerning Bish-  
ops, and their trial, &c.: The particular Commissioners orderly being

called upon the account of the executione of their commillione, none compeired for the Presbytrie of Perth.

As to the Bishop of Brechin: The processe led against him was produced.

Twiching the Bishops of Aberdeen and Orkney: The brethren declared they proceed in both, and should produce their processe the morne.

Concerning Dumblane and the Isles: The processe deduced against them being exhibite, the fight thereof was committed to Mr Peeter Bleckburne and Mr Adam Johnstone till the morne.

As to Sanct Andrews: Mr Andrew Melvill declared he had received summons and writings from the Presbytrie of Glasgowe, to summon him diverse time; but he was sick, and therefore could not addere afflictionem afflicto.

Anent visitatione of Universities conforme to the directione of the late Assemblie: And first of Aberdeen, it was found travels had been taken therein, and ane order set doune which is in the Principalls hands.

As to Sanct Andrews and Glasgowe: Excuse was made be reason of the troubles, and want of the Kings Commissioners to concurr. The Assemblie referred the farther order to be taken herein till another time.

### Sessio 3<sup>a</sup>.

The brethren directed to the Kings Majestie yesternight, reported his Graces answer, Three Commissioners should be directed in his name to the Assemblie: As to the second article, It wes most reasonable, and in hand before their coming: As to the third, He should give in command to his Ambassador, to treat the famine as opportunitie served best for the advancement of the cause.

Anent the travels taken be Mr Craige in collecting and disposing the acts of the Assemblie: The Assemblie hath ordeaned their brethren, Mr Robert Pont, Mr Alexander Arbuthnet, Mr James Lowson, Mr George Hay, and John Duncanson, to consider and oversee the famine; and, to that effect, to meet at afternoon, and appoint such hours as they fall think most commodious to attend thereupon; and to return their opinion back to the Assemblie.

Anent the processe concerning the Bishope of Dumblane: The As-

femblie continues the farther proceeding in that matter, while the morn that he be present. C.]

Anent the fumounds direēt be the Synodall Assemblie of [the west part of] Fyfe aganis Mr David Ruffell, Bailzie of Sanct Androes, to heir ane sentence definitive pronouncit vpon ane proces deduceit befor the Presbyterie heirof, against him, for ane slanderous letter publischt the 17 day of Marche last, in presence of the congregatioun: The said Mr David being present, protesting first, before God, he nevir meinit nor means to doubt of the authoritie of the Kirk, made a discourſe of the vakeing of the pulpit of Sanct Androes, and of the receipt of the wryting from my Lord Marche, quhilk was put in forme be him, and red in the kirk; quherin he grants that ther were thir words, calumnious pretendit maner, &c.; [yet] being discreitly confidderit, ſould not be found offensive: always he hes appealit from this Presbitrie to this Assemblie, for the causes conteinit in his appellatioun, quhilk he exhibite, defyreing the Wifdomes of the Assemblie that he might have a sight of the proces layit against him, to be advyſit with his juſt defence; and that rather or the matter come in opin reaſoning, that privat conference were had amongſt the discreiteſt therupon: With the quhilk defyre the Kirk being advyſit, vottit to the reiding therof firſt opinlie; lyke as the ſamein being publickly red and heard, together with the copie of the wryting givin out be ſaid Synodall Assemblie, red in the paroch kirk, the farther conſideratioun of the cauſe was left till afternoone, and he warned to be present.

#### Seſſio 4<sup>a</sup>.

[At afternoone, the ſaid] Mr David Ruffell being inquiryit if he had the principall wryting alledgit, red vpon the ſaid 17 day of Marche, denyit the ſame, and exhibit ane double therof, as he termed it, received be him, as he alledgit, from ane ſervant of the Erle of Marches, nothing different from the originall, quhilk he pennit, and was red in the ſaid kirk, as he himſelfe teſtified.

As to the appellatioun interponit be him from the ſaid Presbitrie, [and given in before noon,] the hail Assemblie, [after long reaſoning in the matter,] vottit uniformly, that he had evil appealit [from the ſaid Presbytrie,] with whoſe ſentence the ſaid Mr David declarit he ſtood content. As to

the sentence to be pronouncit in the said matter, as also aganis William Leirmonth, ane vther of the saids Bailgies, the Kirk continuit the same to the morne, warning them both presentlie therto.

Selfio 5<sup>a</sup>.

Ordeans [the bretheren following, to wit,] Mrs Alexander Arbuthnot, David Fergusone, and Johne Durie, with the Kings Ministers, to passe to his Grace and Counsell, and in name of the Kirk crave earnestly, that the French Ambassadour, whose travells heir are suspecit to tend aganis both religioun and commoun weill, may be dispatchit: That Mr Hault, the Jesuite, may be accusit and tryit, and according to his offence, if he be found guiltie, may be punischit: Sicklyke, my Lord Seatouns sonne may be send for, and accusit of the wrytings sent to the Jesuites, and ordour put to him therfor.

Attour, That ane brother of the Laird of Camboes, refuseing to abyde the judgement of the Kirk, and allowes the breaking of the [Kings] lawes concerning his religioun, may be summoned to a particular dyatt, to vnderly the law.

Item, To remember his Grace concerning the Abbot of Haliewood, that no licence be given to him to depart out of the countrey; and sicklyke to remember concerning Mr David Chalmer.

[The said day] Mr David Russell submittit him absolutely to the judgement of the Assemblie, concerning the proces laid against him, [which was yet ordeaned to be sighted again be Mr Andrew Hay, Mr Alexander Arbuthnet, Mr George Hay, and David Fergusone again afternoon. C.]

Anent the citatioun direct from the Synodall of Fyffe aganis Mr David Russell, Bailgie of Sanct Androes, to compeir in this Assemblie, to heir sentence definitive pronouncit vpon ane proces led and deduceit befor the Presbyterie of the said citie, for publishung of a slanderous letter, vpon the 17 day of March last, in presence of the Congregation of Sanct Androes; as the action at lenth beares: The said actionn and haill proces being publicklye red, and at lenth considerit be the haill Assemblie, and the samein, with the deductioun therof in all points, together with the letter and intimatioun of the said Synodall Assemblie published in the paroch kirk of Sanct Androes opinlie, being [lawfully, formalie and] ordourlie



proceidit, lykeas the said brethren in ane voyce justifies and allowis the proceidings therof, and of the said Presbyterie in the said cause; and after good deliberatioun and resolutioun takin vpon the sight and diligent tryall of the said proces and probatioun led therein, Hes found, and finds, that the said Mr David [not only] hes givin heavie slander, and offendit aganis the Presbyterie of Sanct Androes, but farther hes slanderit [so] heavilie aganis the haill Kirk of this realme, as that, sen the reformatioun of religioun within the same, the lyke therof hath not been offerit in any person; and especially in the particulars following, evidently provin and evicit per testes omni exceptione majores; quherof a part also is confest be himselve, granting he had done amisse, and submitting him to the determinatioun and arbitrement of the haill brether absolutelie:

To wit, In calling the ordinance of the Presbitrie, a rable, saying it could not passe but ane ansuer; it could be worse then the saire of Glasgow, and that, foure dayes before the famous lybell was publischt.

2. In giving command with threatening to publish the letter, in face of the Kirk.

3. In penning and forminge the said blasphemous letter.

4. In denying first, with attestatioun, the penning therof, and thereafter granting the same.

5. In opponing him, in all heids of the said letter, to the [ordinance of the] Presbyterie.

6. In wryting thir outragious words therein, pretendit Presbitrie, vsurpit authoritie of the said Presbyterie, without any good ground of Gods Word, or lawes of the realme; that the said Presbyterie did aganis their awin consciences, and christian charitie; that some of them were promise breakers, howbeit the contrair were verifed; in accusatioun of the letter of the Presbyterie of calumnious [objections; and in contemning not only the jurisdiction of the Presbitrie, bot also of the Synodall Assemblie: And therfor hes decernit and ordanit in ane voyce, That the said Mr David, vpon Thuresday come eight dayes, immediatlie after returneing from this Assemblie, sall appeare in presence of the Presbitrie of Sanct Androes, and with humiliatioun of heart, and earnest and true repentance, confests and acknowledge befor them, that in the particulars above wrytin, and every ane of them, he hes heavilie offendit his God, and slanderit the said Presbyterie, and the haill Kirk of God within this realme; craving Gods goodnes to pardon him, and the said brethren to forgive him, with promise in

tyme comeing, to avoyde all such slanderous behaviour or dealing: whose humiliatioun and repentance being found vnfained and earnest, be the sight of the said Presbyterie, and they satisfied therewith, that, upon Sunday immediatlie therafter, he appeare befor the pulpit in the paroch kirk of Sanct Androes, befor noone, after the sermoun, and immediatlie befor the prayer, in presence of the congregatioun, and ther make the said confessioun, acknowledging his offences in particular, and in maner as is above deduceit; exhorting all the brethren and congregatioun to the obedience of the Kirk and ordinances therof, that as they have bein slanderit be his fall, so be his ryfing they may receive confort and good example: Wherein if the said Mr David failgies, and gives not absolute obedience according to the tenour of this sentence, in all poynts, that the said Presbitrie of Sanct Androes proceed aganis him in all points with the sentence of the Kirk.

Anent the ordour and iniunctiouns to be vsed aganis Gawin Grahame and his Collegues already excommunicat: The Assemblie present hes ordainit, that they fall satisfie the iniunctiouns vsit against murderers, incestuous persons, &c. before they be absolvit from the said sentence, the forme quherof is conteinit in ane act made in December 1565, Sessio 4; and the same being dewlie satisfied, and earnest repentance being sein in them, ordaines the said Presbytrie of Glasgow to absolve them from the said sentence.

[As to the remanent persons yet under process, who were guiltie of the violence done to Mr John Howeson: The whole Assemblie hath granted the forme of the discipline to be used against them, to the judgment and good discretione of the Presbytrie of Glasgow, with advice and counsel of one of the brethren of the Presbytrie of Edinburgh, to be directed unto them, together with James Anderfone and the Minister of Air; the forme of discipline alwise, and injunctiounes, to be given to the said persons as yett not excommunicate, to be less, and not so severe as of these that have bidden the sentence of excommunicatione; and ordeans the said brethren of Stirlie, Air and Edinburgh, to convene with the said Presbytrie, the last Wednesday of May nixt to come, to the effect forsaid.

The said day, the Proveist of Dundee and the Laird of Colluthie presented certaine instructiounes given to them be the Kings Majestie and his Counsel, with a letter written in favours of the Bischope of Murrey, which were red, and left to be considered while the morne. C.]

Sessio 7<sup>a</sup>.

Anent the heids proponit [yesterday] be the Provest of Dundie and the Laird of Culluthie, his Majesties Commissioners: The Kirk, be the Moderatour, gave answer, That, for expeditioun of the first heid, the Assemblie shuld appoint thair next conventioun the sooner, that ane absolute answer may be givin therto. Touching the second: They have found be experience, that commissiouns givin to brether, with power to conclude, have done great hurt to the Kirk. As to novelties: They shuld middle with nane.

Anent the lamentabill supplicatioun given in be the Erle of Arrane, bearing, That quher, vpon his diverse supplicatiouns presentit to the Generall Assemblies at Dundie and Edinburgh, they have [diligently] travellit with the Kings Majestie and [Lords of] Secreit Counsell, for his delyverance from his long [and lamentable] captivitie, and restitutionn to him of his heritage, most wrangoullie withhaldin from him, be the wickit and fraudulent meanes of the present possessour therof; nottheles, that vngodlie man, abusing the gouth and favour of his Sovereine, hes not sufferit gour fute to be hard, tryed, and allowed be his Majestie, as he is fure it wilbe quhenfoevir his Grace is duellie informit of his innocencie, and the miseries, grieves, and wrangis be him susteinitt, in spirit, bodie, and worldlie goods, be the crueltie of his enemies: befeiking the Assemblie therfor, as the only meane in this world quhervnto he may have esperance, to present his regraits and dolents to his Majestie, that they will git continue thair former fute in his favour, and pretermitt not the present opportunitie of his Majesties good dispositioun, not able to be abusid be the craft and subtiltie of that his vniust enemie being presentlie removit from his Majesties presence; praying them also to labour that his bodie and living may be committit to the custodie of his verie vndoubtitt friends, quho will have vnfaired care for the [amendment and] preservatioun of the ane and the vther, according to conscience, equitie, and righteous lawis of all civill countreyes; remembring presentlie that he is so destitute of all vther meanes of intercessioun, saving them only, for feare of his enemies crueltie, that, among so many natural friends of all degrees, he can hardly find ane that will declare himselfe the presenter of this his supplicatioun [made] to the Assemblie; the quhilk necessitie he doubtis not thair Wisedomes will worthilie supplie.

The Kirk having confiderit the said supplicatioun, ordainis thair brether that presentlie are direct to the Kings Majestie, to shew his Hienes this pitiefull complaint, craveing his gracious and good answere therin : and farther, as the Assemblie shall find opportunitie, be thair Commillioners travells, to be done for the weill and comfort of the Nobleman.

Mr Robert Pont declairit, that, with losse of his heritage and worldlie commoditie, he had proponit to sitt down in Sanct Androes, and had served on his awin charges a whole geir, and could not have any equall conditiones of living, no, not the least provisioun that any had that past befor, and now altogether his heart is abstractit from them ; praying the Kirk not to lay the charge vpon him against his will.

Sessio 8<sup>a</sup>.

[The said day, Captane Montgomerie being directed from the Kings Majestie to the whole Assemblie, required them in his Hienes name, seing his Majestie is patron and erecter of the Colledge of Glasgowe, where-through he hath a care of the interteanment and standing of the same, that the Assemblie meddle not with the removing of any of the members thereof, and especially of the Principall.

Anent the directione given to certane brethren to pafs to the Kings Majestie with some speciall heids to be craved of his Grace : The said brethren having returned from his Majestie, reported, That concerning the French Ambassadour, he is presentlie in his journey to depart, and this day takes his leave. As to the examining of Mr Holt, and summunding of my Lord Setons sone : His Grace sould see that he were summoned, and both conferred together, and tried ; as also he should cause Cambois brethren be summoned. As to the Abbot of Halywood ; He remembered not of any licence past be him. Concerning the Erle of Arran : He sould send and see how he is intreated ; and if he were evil handled, sould re-meid it. Twiching Mr David Chamber : Order sould be put to him.

Sessio 9<sup>a</sup>.

For reading and answering the Bills : Appoints Mr James Balfour,

David Fergufone, Mr James Carmichael, Mr Adam Johnftoune, and John Johnftoun his brother, to conveen the morne at 6 hours in the morning, and fo to continue while they be answered. C.]

Anent the citatioun direct aganis William Leirmonth, bailzie of Sanct Androes: The Affemblic, in refpect of the faid William his fimple confellion, that he gave command to Niniane Rule, to reid publickly the flanderous letter aganis the Prefbitrie of Sanct Androes, in the paroch kirk therof, and his humble fubmiffion to the whole Kirk, Ordaines him, vpon Sonday come aught dayes, to compeir before the congregatioun of Sanct Androes, after fermoun and befor prayer, and ther confelle his offence forfaid, asking God and his Kirk pardon therfor, vnder the paine of the cenfures of the Kirk, to be execute be the faid Prefbytrie aganis him.

#### Seffio 10<sup>a</sup>.

[Anent the report to be made to the Affemblic, be the brethren appointed to the fight of the constitutione of the Presbyteries of Aberdeene, &c. Answer was given, That they had confidered the eftate of the matter, and found three of the fex Presbyteries, whereof they have beft knowledge, reafonable weale constitute; the farder is not fo weal knawin to them; alwife they found them all, be the advice of the Synodal Affemblic, who fould beft know the eftate of the countrie, eftablished. The whole Affemblic approved the constitutione hereof, while hereafter that better refolutione be taken, in cafe a better partial may be confidered. C.]

Anent baptifme miniftrat be laick perfons, and fuch as hes no ordinary function in the Miniftrie of the Kirk: The Generall Kirk, in ane voyce, hes concludit the fame to be no baptifm; and that thefe that are in the pretendit manner baptifed, fould be baptized according to Gods Word.

Anent Minifters that make not refidence at their awin Kirks: The Affemblic ordains the Presbyteries vniverfallie within thair awin bounds, to take ordour therwith, as they will anfuer to the Kirk.

Anent the proces deduceit befor the Presbyterie aganis Henrie Adamfone, burges of Perth, and approvin be the Synodall Affemblic of the province: The haill Kirk at lenth having confidderit the proces and probatioun led in the matter, being weill refolvit and advylit therewith, in ane voyce declares and finds the faid Henrie, be his familiar and fufpect be-

haviour with Jeanie Thornton, spous of Oliver Peibles, resorting with her in privat and suspett places, drinking and conversing with her, and vther-ways behaving himselfe not so chastlie as becomes ane honest married person, as he fundrie circumstances in the said proceſs appears to have given suspicioun that he hes committit adulterie with her, and therby to have givin occasion of slander in his person: Therfor ordaines him, immediatelie after his returning from the Asſembly, to compeir befor the Presbyterie of Perth, and ther, with humilitie, vnſainedly to confesse and acknowledge that he hes given occasion of slander, asking God and his Kirk forgiveness [therfor ;] and therafter, vpon ane Sonday to be appointit be the said Presbyterie, he fall compeir in the paroch kirk of Perth, in tyme of fermoun befor noone, sitt in the place of repentance in his commoun apparrell quhill the fermoun be enditt, and immediatelie after the end therof, and befor the prayer, stand vp in the said place of repentance, and confesse and acknowledge the slander given be him, and ask God and [his] Kirk pardon therfor, with promise in tyme coming to avoyde all slanderous behaviour and suspitioun of any such cryme, vnder the paine of the censures of the Kirk to be execute aganis him be the said Presbyterie.

#### Sessio 11<sup>a</sup>.

Anent the difficultie movit be certaine brether, If it be lawfull to a Pastour alreadie appointit and serving a flock, to receive admissioun of a benefice appertaining to another Kirk nor quher he serves, and remove [him] from his awin flock without licence of the Presbitrie quher he serves, Synodall [Asſembly of the countrie,] or Generall Asſembly [of the Kirk:] The haill Asſembly, after many reasons had on either syde concerning this doubt, resolvit and concludit, That a Pastour provydit and serving a flock, [as said is in this case,] lawfully may not remove from his awin flock quher he first serves, without speciall licence obtainit be him of his Presbyterie, Provinciall [Asſembly of the province,] or Generall Asſembly [of the whole Kirk], and inhibiteand and dischargeand all Presbyteries, in tyme comeing, to admitt any person els quher serving, as said is, to benefices, without testimonials and licence shawin be them, of the consent of the Presbyterie, Synodall, or Generall [Asſembly, as said is:] And if any person beis found aganst the tenour heirof, to transſerre himselfe without consent for-



said, the Kirk hes concludit and decernit him to be deposit from his function and calling of the Ministrie in tyme coming.

[Anent Bishops, and commissions given in the last Assemblie concerning the order to be taken with them : In respect that ane oversight is found in executione of the said commissione vpon sundrie occaliones, yett least that Estate so long slanderous to the Kirk be not overpast, as it hath been negligently, the whole Assemblie hath continued the commissione given to the brethren of before, concerning Sanct Androes, the Bischope of the Isles, and Dunkeld, ordeaning them to proceed in all points, according to the said commissione, as they will answer to the Kirk : And cheeflie, the Presbytrie of Stirlie to proceed against the Bishop of the Isles, according to the processe deduced before them, with full power to them to that effect. As concerning the Bishop of Aberdeene : In respect some processe hath been had before the Presbytrie of Edinburgh against him, where his answer hath been given in negativé, and no probatione led against him, the Assemblie ordeaned the officer of the Assemblie to warn him to compear before the brethren, Mr James Lowson, Mr Andrew Melvil, Mr Walter Blancquall, John Durie, Mr John Craige, David Fergusone, Mr John Davidson, and John Brand, to hear witnes received against him in that matter, the morne at 6 hours ; to whom the Assemblie gives power to examine and trie the saids witnesses, everie one of them, vpon the points denied be the said Mr David, and to report the probation againe to the Assemblie.

Sessio 12<sup>a</sup>.

Anent the article proponed be the Kings Majesties Commissioners to the Generall Assemblie, remembring them of the acts made in the last Parliament, specially anent provisioun for Ministers and stipends for them at all parish kirks, and appointing Commissioners for ordering thereof ; for the executione of the which, it should be required, that they sould nominat three Commissioners, with power to them to conveen with as many to be directed be his Grace, for consideratione and appointing of the order and estate of the Kirk ; and stipends to begin and take effect at the first day of November next to come ; and that the same Commissioners sould have power to treat, confer and conclude, that their travells might be effectual in all matters, concerning the said act or depending thereupon, to the full executione thereof : The Generall Assemblie having advised with the



faid article, nominats, and gives power to their loved brethren, the Laird of Dun, Mr Andrew Hay, Mr Thomas Buchanan, Mr John Craige, Mr David Lindsey, Mr Robert Pont, John Duncanson, John Brand, or to the faid Mr Andrew Hay, Mr Robert Pont or Mr Thomas Buchanan conjunctlie, to conveen with the Kings Majesties Commissioners, at such time as shall be assigned, to treat, conferr and reason, for a solid order and forme of provisiōe of Ministers stipends and estate of the Kirk; and to lay the ground thereof, and to reduce the famine to a certane perfectione, to be advised upon in the next Assemblie, there to be concluded, if it shall be thought expedient be the universal votes of the whole Assemblie: and, for their better informatione to that effect, ordeans every Presbytrie, as they shall be required be the faid brethren, to send some of the most qualified and meetest men of the Presbytrie, to informe the sex Commissioners upon the estate of their countries, for advancing of the faid work, and informing them in the premises.

Anent the labours taken be Mr John Craige in collecting of the Acts of the Assemblie: Seing the great travels tane be him for the weale of the same, not without the singular fruit and profite of the whole brethren, to the effect the same may be absolved and brought to perfection, it is thought good, that Mr James Lowson, Mr David Lindlay, Mr Robert Pont, Mr Walter Blancquall, Mr Nicol Dagleish, Mr John Davidson, and John Duncanson, Commissioners for Edinburgh, travel in perusing the whole work; albeit of the difficulties as they occur, consider and weigh what things are requisite to the full compleiting thereof, and to put the same in mundo, betwixt and the next Generall Assemblie, that judgment of the whole Assemblie may be had thereupon.

Anent the supplicatione given be George Erle of Marthel, Robert Commendator of Deir, and certane brethren, who had charge by the Kings Majesties commissiōe and the Assemblie, to visit the Colledge of Aberdeen, desiring the Assemblie to consider of the travels taken be them in the faid matter; as also to deput some persons to take trial of the members thereof, that they be sufficient and qualified, conforme to the new erectiōe: The faid whole Assemblie ordeans their brethren, Mr James Lowson, Mr Andrew Melvil and Mr Niccol Dagleish, and failing of him, Mr Robert Pont, to consider the proceedings of the faid Commillioners, twiching the faid erectiōe; and if they find the same allowable and weel done, to give their testimony and approbation thereof, to be presented to the

Erle Marſhel, that his Lordſhip may travel for the Kings Majesties confirmation thereof: and that the same persons take trial and information of the principall compts; and if they find the same to be allowed, to authorize and allow the same be their subscriptione: And likewise, ordeans Mr Thomas Smetone, Mr Andrew Melvil, Mr Niccol Dagleish, and failing of him, Mr Robert Pont, to convene in Sanct Androws the 5 day of September next to come, to trie and examine the members of the said Colledge of Aberdeen, if they be correspondent to the order and provisione of the said erectione, and to interpone likewise their judgment and testimony thereunto.

Seſſio 13<sup>a</sup>.

The Asſembly gives commission and full power to their loved brethren, Mr Andrew Hay, Mr Alexander Arbuthnet, and Mr George Hay, to present to the Kings Majesty and his honourable Counſel such heids, articles, and complaints, as are given to them in write; conferr, treat and reason thereupon; and to crave his Hienes and their Honours answers thereto, to be reported again to the next Asſembly.

Ordeans Mr Andrew Melvil, Mr James Lowſon, and David Ferguſon, to viſit the books set out be George Scot; and to report to the Asſembly their judgment thereupon.

Anent the viſitatione of the Univerſitie of Sanct Andros: The Asſembly hath given commissione, as in the last Asſembly, to their brethren underwriten, Mr Robert Pont, Mr Nicol Dagleish, Mr Alexander Arbuthnet, Mr Andrew Polwart, Mr Thomas Smetone, Mr Thomas Buchanan, Mr David Lindſey, or any four of them, to convene themselves the 5 day of September next to come there, and to conſider how the rents and livings of the saids Colledge are bestowed; how the doctrine is used be the Maſters and Regents, if the same be correspondent to the Act of Parliament; how order is kept among the ſchools and Students; and herein, as order and defectione ſhall be found, to take order, and to report to the next Generall Asſembly.

Anent the divisione of the Kirks of Stratherne among the Presbyteries of Perth, Stirling, and Dunkeld: The Asſembly hath unite to the Presbyteries, as follows, to wit, to Perth, Achterardour; to Stirling, Stirling, Strowan, &c.; to Dunkeld, Auchtergowan, Kinclewin, Logybride. C.]

A. D. M.D.LXXXIII.

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THE Generall Affemblie of the Kirk conveyit at Edinburgh in the New Kirk therof, the tent day of October 1583 : Quher ther was present the Commiffioners.

Sessio 1<sup>a</sup>.

Exhortatioun made be Mr Thomas Smeitoun : Leits, Mrs Robert Pont, Peeter Blackburne, Nicoll Dagleifch, and James Balfour. Be pluralitie of votis, the said Mr Robert was electit hac vice.

[For the riper resolutione of matters which are to be treated in this Affemblie, the Affemblie ordeans their brethren, Mr James Lowfone, Mr Andrew Melvil, Mr Thomas Smetone, Mr John Craige, Mr Walter Balcanqual, Mr Peter Bleckburne, Mr Andrew Polwart, Mr John Davidfone, Mr Nicol Dagleifh, John Durie, the Lairds of Braid and Pilrig, with the Commiffioners of Edenburgh, to concurr and convene dayly with the Moderator, at 7 hours in the morning on the preaching day, and on other days at eight hours, and afternoone at two hours, in Mr James Lawfon his galerie, and consult with him upon such things, as they fall think meet to be proponed, to the end of the Affemblie. C. & B.]

Sessio 2<sup>a</sup>.

Forfameikle as the raritie of this Assemblie chieflie stands in the default of the brether of the Ministrie, having commillioun to come to the Generall Assemblie, and yet comes not : The Kirk hes thoght meitt that the Countreyes be callit on, and considerit quho are absēt ; and sicklike, if all that are in the commissiouns already givin in be present ; and that the absēts be markit, and a substantious ordour providit to correct them ; [the forme thereof the brethren have willed Mr John Craig, David Fergusone, and Mr Peter Bleckburn, to consider, and give their judgment openlie to the whole Assemblie the morne at afternoon.

Anent the commiſsione given for erectiōne of Presbyteries in Cathnes, Sutherland, Rofs and Murray : The trial of the executiōne thereof is deferred till the coming of Mr George Hay.

Anent the commiſsione given in the last Assemblie to certaine brethren, to fight and confider the forme of the new erectiōne of the Colledge of Aberdeen, with the principall compts thereof ; and as they found the one and the other to be allowed, to give testimonie of their approbatione thereunto ; and sicklike, to other brethren nominate in the same conventionē, to convene at Sanct Androws for examinatione of the members of the said Colledge of Aberdeen, as the said commiſsione at length propoerts : The said brethren being required of their diligence in executiōne hereof, and certaine excuses alledged and meaned, nothing found execute, the Assemblie yet, as of before, gave commiſsione to Mr James Lowson, Mr Andrew Melvil, Mr Niccol Dagleish, and Mr Thomas Smetone, to read and peruse the said erectiōne and compts, and give their judgment thereupon, before the end of the Assemblie : And concerning the examinatione of the said members, in respect doubts are cast in, if they be drawn to Sanct Androws, of the skailing of their whole classe, the farther consideratione hereof is left while the morne the brethren be fully assembled. C.]

Anent the Constitutions and Acts made in the Generall Assemblie : It is determined and resolved, that ane Act being made in the Generall Assemblie, no just cause of the changing therof interveining thereafter, it fall not be leisum to any particular brother, in ane [uther] Generall Assemblie, to call the same in question againe.

Anent the commissioun givin to certaine brether, in the last Assemblie, to visite the Vniverlitie of Sanct Androes, and to consider how the rents and livings therof are bestowed ; how the doctrine is vsed be the Masters and Regents, and if the same be correspondent to the act of Parliament ; and how the ordour is keptit among the students : The Kirk hes committit of new the executioun of the said commissioun, [in all points after the tenor thereof, to their brethren,] Mrs Andro Polwart, Thomas Buchannan, Niccol Dagleish, and William Chrystefone ; and, to that effect, ordaines to conveine themselves in Sanct Androes, the 6 day of Marche nixt to come ; and quhat they doe heirin, to report to the nixt Generall Assemblie. Mr Robert Wilkie, in name of the Vniverlitie, protestit that the said commissioun prejudge not the liberties and priveledge of the Vniverlitie.

[Anent the travells of Mr Craig in the Acts of the Kirk : The Commissioners appointed to the reviewing thereof, reported, that they had considered thereof, and that in his labours God was to be praised ; yett some things they had noted, wherewith they desired he sould conferr, and thereafter proceed with him in farther reasoning.

Anent the commissioun given to certane brethren to concurr with the Kings Majesties Commissioners, and treat upon a solid order and forme of provisioun of the Ministers stipends, and estate of the Kirk : Report wes made be the brethren, that the Kings Majestie had appointed the first day of this moneth to the said effect ; and latelie had proroged their meeting to the 16 thereof.

The Generall Assemblie, in one voice and mind, gives full power and commissioun to their loved brethren, James Anderstone, Mr Andrew Clayhills, and John Brand, with assistance of John Duncanfone, and the Kings Ministers, to pass immediatly to his Hienes and most Noble Counsel, and there, with all reverence and obedience and humilitie, present and offer such articles, complaints, and greeves, as are givin to them in write be the said Assemblie, treat, conferr and reason thereupon ; and to crave his Hienes and their Honours good answer thereto, to be reported again to the whole Assemblie.

Anent the commissioun given in the last Assemblie, concerning the Bishops of the Yles, Dunkeld, Dumblaine, and Sanct Andrews : The brethren having commissioun therein, namely, they who had commissioun concerning the Yles and Dunkeld, reported in write their proceeding, and

desired that they might have conference with the Affessors twiching Dumblane, before further were openlie heard of, which wes granted afternoon. As to the Bishope of Dumblaine: Because excuse was pretended of the wanting of the act of the Kirk thereanent, the Assemblie ordeaned the said commiſsione to be execute, as of before, in all points according to the effect thereof, as they would answer to the Assemblie. As to the Bishop of Sanct Andrews: The triel is referred to the coming of the Commiſsioners at afternoone.

Forfameikle as the commiſsione givin in the last Assemblie to certane brethren, to trie and examine the qualities of the members of the Colledge of Aberdeen, if they be corresponsent to the order and proviſione of the new erectione, as their commiſsione at length bears, hath been negligentlie overseen, and left unexecute be the brethren having directione thereof; and partlie in default of the members and Regents not resorting to the place appointed: Therefore the whole Assemblie of new have given their full power and commiſsione to their brethren, the Rector, Mr Andrew Melvil, Mr Thomas Buchanan, Mr Robert Wilkie, and Mr James Martine, to examine and trie the qualities of the saids members, as said is; and the said examinatione to begin and proceed in Sanct Andrews in this manner, and at thir special dyets following, viz. the Subprincipall, and one of the Regents, the 6 day of March nixt to come; and the other two Regents, the last day of April nixt thereafter: And to the effect they pretend no ignorance of the conclusion of the Kirk herein, the Assemblie hath ordeaned their brother, Mr Peter Bleckburne, Minister of Aberdeen, to warne the saids members and Regents to compear in Sanct Andrews, at the times, and in the manner above specified, to be tried and examined, as said is, be the said Commiſsioners, under the pain of disobedience to the Kirk; and what herein bees proceeded, to returne to the nixt Generall Assemblie the report thereof. C.]

Ordaines the Moderatour of the Assemblie to receive from the Clark thereof, the extract of the commiſsiouns givin to the brether the time he beares charge, in cace they be absent from the Assemblie the tyme of the direction thereof; and to direct them tymeouſlie to the said brether, that the saids commiſsiouns be not left vnexecute, vpon pretence of thair absence and ignorance of the same.

[Ordeans their brethren, Mr Thomas Smetone, Mr Andrew Melvil, and

Mr David Lindfey, to forme the Articles to be presented the King, and to present them at afternoone.

Seffio 4<sup>a</sup>.

The brethrein appointed to the forming of the Articles, presented the heids thereof, which were read, and thought meet to be put in forme be Mr Thomas Smetone, to be delivered with instructiones to the brethrein having commiffione to present them to the Kings Majestie; and ordeaned fuch as have particular information to give thereupon, after the diffolving of the Affemblie, to refort to the said Mr Thomas. C.]

Seffio 5<sup>a</sup>.

Ordaines every Presbyterie within their awin bounds, to call befor them the benefitit perfons within their awin jurifdictioun, and to take acompt and tryall, how they have keipit the aēt of the Affemblie, twiching the difpofitioun of their ecclesiasticall living; in quhat manner, and quherin the famein hes bein transgreft; and to make ane juft report therof to the nixt Affemblie be the Moderatour of their Elderschip, or Commiffioner, as they will anfuer to God and his Kirk.

Articles to be direct to the Kings Majestie, being presentit in forme,  
the hail Affemblie vottit to the presenting therof, with the in-  
structiones; quherof the tenour followis.

Sir, The strait commiffioun we have receivit of the Eternall, our God, quhen, as in this your Majesties realme, we were made watchmen of his peiple, and fearefull threatning pronuncit againft every ane that neglect faithfullie to execute every part of thair [weighty] charge, compells vs presentlie to have recourfe vnto your Majestie, perceiving many things to fall furth, greatlie to the prejudice of Gods glorie, and no small appeirance of vtter wrack of [this] his Kirk and commoun wealth, vnlesse some hastie remeid be put thereto; most humblie, therfor, beſeikand your Majestie



diligentlie to wey and considder thir few heids, quhilkis, with all reverence and obfervance, we present, looking for a gracious anfuer and speidie redresse therof.

1. It is a great greife to the hearts of all them that feares God, to [see papists,] apostates, sworn enemies to Chryft, to your Grace, and all your [faithfull] subiects, forfault for their treason, some also suspectit and heavilie bruitit with the murther of the most noble person of your vmquhile father, impugnors of the trueth be word and wryte, continuing still in thair wickednes, vnreconcilit to the Kirk, to receive of your Majestie the benefite of pacificatioun, to the prejudice of the faithful Ministers, quhom violentlie be that meanes they labour to dispossesse.

2. That vthers from thair youth, nourishit in the Kirk of God with vs, and sensyne fearfullie fallin back therfra, and become oppen rennagattis, and blasphemers of the trueth, and mantainers of idolatrie, and that Man of Sin, Livetennant of Satan, and oppressours of Gods peiple; and yet, notwithstanding, are receivit in Court, authorizit, and [so] farre countenanced, that they are become familiar with your Majestie; quherthrow, belyde the greife of your Graces faithfull subiects, many are broght to doubt quhat fall ensue vpon such beginnings.

3. That a wicked [and] obstinate papist sent in the countrey to traffick aganis God, and quyetnes of your Graces estate, and therfor as worthie of death, committit in ward at your Graces command, with sure promise that he should not escape punishment, yet, as we understand, was, be indirec[t] meanes, let depart, and no tryall takin to find out the author of his delverie.

4. That your Majestie seimes to have over great lyking of the enemies of God, as weil in France, as some within this realme, quho hes nevir givin testimonie of any good meaning either in religioun or in your Majesties service, [beside the dissolute life and irreligious behaviour of them, that in your Graces service] have succedit to men, that were knawin zealous in Gods cause, and faithfull to your Grace from your tender age.

5. Since your Majestie took the government in your awin hand, many faire promises hes bein made that ordour should be takin for preservatioun of the Kirk of God, and continuance thereof to our posteritie: Yet, after long and continuall fute, nothing is performed; but, in place of redresse, the Kirk is bereft daylie of her priviledges and liberties.

6. The thrids are sett in tackis for fowmes of money, in defraude of the Kirk, swa that no Minister heirafter can be provydit.

7. Abbacies are disponed, without any provisioun made for the Ministers serving in the kirks annexit therto, directlie against the act of Parliament.

8. Spirituall livings are givin to bairnes, and tranflatit in temporall lordships.

9. That ther is no punischment for incests, adulteries, witchcrafts, [murthers,] abominable oathes, and vther horrible oathes, in such fort that daylie sin increafes, and provokes the wrath of God against the hail countrey.

10. There is a fore murmuring amongst your Graces leigis, and a lamentabill complaint, that the lawis of the countrey have no place, that no man can be sure neither of his lyfe, lands, nor goods, quhilk threatens a miserable confusioun, and the heavie hand of God to inflew thervpon.

11. That oftymes your Majestie interpones your Hienes autoritie, be letters of horning, to stop the executioun of the acts made in the Generall Assemblie, in matters properly belonging to the Kirk, and nothing touching the civil estate.

Lastlie, We [most humblie] besaik your Majestie to suffer vs to lament the great divisioun amongst your Hienes nobilitie and subiects, the ane part seiking be all means possible, for thair awin particular, to perswade your Majestie to wrack the vther; quhilk fosters a continuall stryfe, malice, and rankour, to the great danger of your Graces person, quhom God preserve, to the Kirk of God and this pure countrey; beseking your Majestie, for the most tender mercie of God, to call to your Hienes some of the most wise, discreit, and indifferent, to be your Counsell, to take a moderate course, that vnquyet spirits may be brydlit, good men cherishit and intertainit, and the hearts of all your Majesties subiectis vnite, to the maintenance of Gods glorie, preservatioun of your royall estate, and confort of all them that bewaile this miserable dissolution.

Particular instructions and more full declaration givin be the Generall Assemblie to thair Commillioners, direct to the Kings Majestie, the 13 of October, vpon every heid of the Articles generallie proponit.

First, How heavilie the godlie are offendit, and the hail Kirk slanderit, that Mr David Chalmier, a man notoriouſlie knowin vnto his Grace and Counsell to be not [only] a formall and profest enemie aganis the trueth of Chryſts religioun, a plaine practifer and traffiquer aganis the ſame, but alſo aganis his Hienes authoritie and eſtate, in all parts quher he has travellit, haveand herewith, reſting vpon his heid, the foule brute and commoun ſuſpitioun conceivit in the hearts of mony men, vpon no ſmall or obſcure preſumptions, of the cruell and barbarous murther of the moſt noble perſon of umquhile his Majeſties father, of good memorie, ſould be ſo ſuddenlie and with ſo ſmall acompt entrit in favour, and receive his Majeſties pacificatioun, with letters to diſpoſſeſſe [his Majeſties] faithfull ſervants and Miniſters of God of thair livings and poſſeſſiouns, no due ſatiffactioun being made to the Kirk; a matter no leſs importing great prejudice to his Hienes noble eſtate, then tuiching his Majeſtie in the beſt point of his honour: and therfor his Hienes wald be movit wyſelie to looke vpon the conſequence heirof; and, in conſideration of this weghtie greife, wald call back and ſuſpend the effect and force of any thing yet grantit to him, and the charges given to his repoſſeſſioun, vnto the tyme that after juſt and lawfull tryall his innocence be agnoſcit, and the hail Kirk, ſo farre offendit in his perſon, be ſatiffied; and the ſame ſatiffactioun be returnit from the Kirk to his Grace.

The Jong Laird of Fentrie direct vnto this countrey, as we are ſurely informit, to practiſe with his Grace and his faithfull ſubiects for overthrow of religion, be moyen of freinds cruppin in Court; and quherever he comes, plainly mantaines Papiſtrie, and, vnder colour of conference, quhilk be all means he flies, does great ſlander in this countrey.

The thrid article is notour.

Be the fourth article is meant the King of France, the Duke of Guife, and vther papiſts ther; and lykewayes, within the countrey, the Erles of Huntlie, Crawford, and vthers.

The Kirk is hurt in thair liberties and priveledges fundrie wayes, as will appeare in the articles, as follow.

Taks of the thrids of Haddingtowne [and Sanct Androes,] fett to the Laird of Seagie.

The Abbacie of Aberbrothok is disponsit to the Duke, and no provision for the Minifers.

The Abbacie of Halierudehous to the Abbots zong fone.

Sicklyke, The Abbott of Newbottles fonn provydit to the Abbacie.

The 9 and 10 is notour ; as for example, Mr George Gairdein being provydit to the Personage [and Viccarage] of Fordyce in the 68 geir of God, and get standing titular therof.

The Kings Majestie hes fett tackis of the frutes of the saids benefices to Robert Stewart of Todlaw, and command givin to the Lords of the Session to grant letters vpon the said tackis.

Mr Alexander Arbuthnot is chargeit, against the Actis of the Kirk, to remaine in the Colledge of Aberdein, vnder the paine of horning.

The Minifers of the Chapter of Halierudehous is chargeit be letters of horning to subscrive the gift of pensoun made to the Person of Pennycuik, his wyfe and sonne, for thair lyfetymes, sicklyke aganis the same Act.

Anent the Act made on the penult day of October 1576, concerning setting of fewis and tackis of benefices and ecclesiasticall livings, or any part therof, be such as beares functioun in the ministrie : The Generall Kirk, as of befor, ratifies and approves the said Act, with this declaratioun, That vnder this Act, all pensouns, factories, and quhatsoever vther dispositioun of the benefice, or any part therof, without the consent of the Generall Assemblie, is and salbe comprehendit in tyme comeing ; and that the disponers thervpon fall incurre the penaltie conteinit in the Act of the dait the 12 of Julij [1580] Sessio 6<sup>a</sup>. [And for the particular observatioun hereof, Mr Andrew Blackhall, in name of the Chapter of Halyroodhouse, is charged not to subscrive the gift of pensone given to the Person of Pennycuk be the said Abbot, under the pain conteained in the said Act.

Anent the citatioun of the Bishop of Sanct Androws to this Assemblie, be ane act of his Synodall Assemblie, wherein he is warned apud acta to this day, as the act bears : The Assemblie, notwithstanding his none compareance, superseede to give their determinatioun in the matter while he be called again, in case he would purge his absence.

Sessio 6<sup>a</sup>.

Matters remitted from the Synodall Affemblie of Lothiane, and answered in the Generall the same day, and in the sixth Session. C.]

It is cravit be the Synodall of Lowthiane, that this Affemblie take order with Mr Johne Spottifwood for setting of the tack of his benefice, but consent of the Affemblie. The Kirk ordaines this particular to be tryit in his awin Presbyterie, and the tryall to be reportit to the nixt Affemblie.

[Item, That certane Commissioners be appointed for calling of all persons newlie provided, and ather compell them to serve the cure, or deprive them.

A. That the Commissioners present give up the names of the non residents upon Munday afternoone.

Item, For asmeikle as the Kings house seems not to be served as becomes, that the Affemblie take order therewith.

A. Advertisement to be given to John Duncansone to take greater attendance; and to write to Mr Craig, as necessitie fall be to him to come.

That the Eldership of Stirline produce the proceses led against the Bishop of Dunkeld.

A. That is done.

That the Affemblie procure provision to Ministers wanting both sufficient stipends and dwelling.

A. Refers to the Platt.

Item, That moyen be made for obtaining of the Provestry of Seton and Pantland, and establishing of Ministers there.

A. Their benefices coming in the Kirks hands jure devoluto, that the Presbyteries dispoone them. C.]

Item, That this Affemblie ratifie the dissolutioun of the Presbitrie of Haddingtoun, and vnioun of the members thereof with vther Presbitries, be reason of the many enormities occurrend ther, as rare conventioun of the brether, loathsomenes and contempt of the Word in the peiple, and not ex-

cutting the acts of the Assemblie: quhilk heid the Kirk approves for the present.

[Item, That the Assemblie take order with the Vicar of Bolton.

A. Ordeans the Presbytrie of Dalkeith to call him for none residence and deprive him.

A proviſione would be had for the Clerk of the Assemblie.

A. A request ſhall be made to the modifiers for that effect.

Inquired, Whither a Viccar having a gleeb, and the Perſon who ſerves in the Miniſtrie having none, the Perſon being Miniſter ſould be preferred to the Vicar, and the gleeb cheeflie; ſeing readers are diſcharged, and Vicars make no residence.

A. Ita. C.]

Forſameikle as fundrie of the Penitents, partlie for povertie, ſeiknes, or diſtance of place, are vnable to compeir befor the Provinciall Assemblie, Queritur, If they may compeir befor the Eldersſhips.

Anſuer, It is not thoct good preſentlie.

The Elders of the Eldersſhip of Melros are of diuerſe judgements, ſome craving the Assemblie to continue [there,] vthers to another place, or els to diuide it. Queritur, Quhat ſhalbe beſt.

Anſwer, They have libertie [to change] as they think beſt, ſo it be [done] with commoun conſent.

[Of old, Leith and Reſtallrig wes one pariſh, and the pariſh kirk ſtood in Reſtallrig; while now, be the act of the Assemblie, it is ordeaned to be in Leith, and yet Reſtallrig reſuſes, in reſpect of old alledged priuiledges.

A. Ordeans the Presbytrie of Edinburgh to take order herewith. C.]

#### Sessio 7<sup>a</sup>.

[Foraſmeikle as the Synodall Assemblie of Lothian is conſidered to be very popular, and attour the number, which the brethren thinks meet, of Presbyteries unite thereto, it is thoght moſt expedient that the ſame be diſmembred, and four Presbyteries joyned in one Provinciall Assemblie; and that Dumbar, Chirniſide, Melroſe, and Peebles, be joyned, and concurr in one Synodall Assemblie; and the place of their nixt Assemblie to be in Lauder, and thereafter, according to their own conſent and advice, to be changed as they ſhall think expedient. C. & B.]



[For as meikle as the constitutiones of the Presbyteries within this realme, being considered to be most necessary and profitable for the whole Kirk ; yet for interteanment of good discipline and policie therein, if the same be duellie and accordingly erected, the Assemblie hath advised and thought it meet, that the brethren after specified shall visit particularly the bounds after following, viz. Mr David Lindsey, Mr Alexander Hume, and Mr John Robertson, from Dee north to Tyne, and the said Mr John to meet then at Elgin ; Mr Andrew Hay, Mr Andrew Polwart, Mr Gilbert Gardin, from Dee to Forth ; Mr George Hay, Mr Thomas Buchanan, James Anderson, John Clappertone, from Forth to Berwick, be east Clyde, as after followes, viz. the said James from Edinburgh west, the said John from Edinburgh east, and the said Mr George and Mr Thomas the rest of the said bounds ; John Durie, Mr John Davidson, and the Minister of Glasgow, the whole bounds from Clyde both to the south and west ; and, betwixt this and the next Assemblie, diligently consider the estate of the whole Presbyteries within the saids bounds where they are erected ; see if there be uniformitie of order and policie kept among them ; and as they find just cause of reformation, to put hand thereto, and to reforme the same ; as also, where no Elderships are yet erected, to plant and erect the same ; and of their diligence concerning this commissione, to give accompt at the next Generall Assemblie ; and that the Presbyteries where thir brethren remaines and serves, take order for provision of their kirks in their absence.

The same day the Bishop of Sanct Andrews yett being not compearand, farther process is yett superseded against him while the morne.

Anent the summons directed be the Presbytrie of Linlithgow against Mr John Grahame, summoning him, conforme to ane order of their Synodall Assemblie, to hear him discerned to have done wrong in injuring of Mr Walter Ballanquhall, and the whole Presbytrie of Edinburgh, and alleged trial before them : and the Synodall Assemblie ordeans their depolitiones to be taken and put in write be Mr Robert Pont and Mr John Craig ; and the articles and interrogators whereupoun the said witnesses are to be examined, to be penned be Mr Thomas Smeton, Mr Andrew Melvil, and Mr James Melvil, and to be given in the morne at 10 hours.

Anent the Lord Bothwells letter : The Assemblie ordeaned a writing to be direct to his Lordship, informing him that they have ordeaned some brethren to conferr with his Lordship with all diligence, and to let him understand of the meaning of the Assemblie, concerning the particulars



proponed in his name ; which were a grant of the Assemblie to the setting of a tack of the teinds of Chrichtone, Hawick, and establisshing of a Presbytrie in Kelfo. C.]

Sessio 11<sup>a</sup>.

[Anent the questione moved concerning the punishment of] Ministers that beares with the peiple repairing in pilgrimage to wells hard besyd their awin houses, vnreproving them, but rather intertaining them with meate and drinke in thair houses ; distributing the communioun to thair flockes, and not communicating with them be the space of fevin or aucht geirs : [It was answered that] such persons deserve deprivation.

[Anent the conference with my Lord Bothwel upon the particulars proponed in his Lordships behalfe to the Assemblie : The Assemblie hath appointed the Lairds of Braid and Merchistone, with Mr David Lindsey, and Mr Niccol Dagleish, with all good opportunitie, to travel with his Lordship, and open up the meaning of the brethren to him concerning the same, and to report &c.

Forfameikle as the young Laird of Fentrie, being a papist, and made residence within the countrey, without making confessionne of his faith attour the time limit in the act of Parliament, and no order yet taken with him be the Kirk : The whole Assemblie hath ordeaned, and ordeans the Minister of Dundie, in the kirk therof, to give admonition to him to subscribe the Confessionne of Faith : and if obedience bees not given on the ferd Sunday, to proceed with the sentence of Excommunicatione against him ; and if he offers obedience, that the same be done with solemne oath to every article, and publictly subscribe the same before the congregatioun there ; and thereafter the said Eldership to injoyne satisfactioun to him for his apostacie.

Anent the erectioun of the Colledge of Aberdeen, sighted be Mr Thomas Smetone, Mr Andrew Melvil, Mr Niccol Dagleish, and Mr James Martine, at commandement of the Assemblie : The report of the said brethren being heard, allowing thereof in their judgments, the whole Assemblie giveth their approbation therto.

Anent the reading of Aristotle in the schooles : Seing there be manie things conteaned in his doctrine, directly impugning the grounds of reli-

gione, directione is given to their brethren, Mr Thomas Smetone, Mr Andrew Melvil, Mr James Lowfone, Mr Peter Bleckburne, Mr Niccol Dagleifh, Mr James Martein, and Mr Robert Wilkie, to draw furth and collect, as farr as their memorie in fuch shortnes of time may ferve, fuch propofitiones as they find erroneious, and report them the morne to the full Affemblye. C.]

Sessio 13<sup>a</sup>.

The Generall Affemblye gives licence to the Person of Hauch, to paffe out of the countrey for recoverie of his health, the Kings Majesties licence being obtainit therto, and his awin kirk provydit at the sight of the Presbiterie of Dunbar.

Forfameikle as fundrie acts hes past of befor, to clofe the hands of beneficit perfons within the Ministrie, that they sett no tackis of the benefices, or any part therof, or make vther dispositioun therof quhatfumevir, without the advyce of the hailk Kirk, get dayle supplicatiouns are given in to the Kirk for thair consent to be had therto; howbeit, both for shortnes of tyme and vtherwayes, the estate of fuch supplicatiouns cannot be convenientlie reasoned and tryed before them: Heirfor it is thoght expedient that quher any fuch fute is to be made, that the samein be first presentit to the Particular Presbyteries quher the benefices [lyis,] quhom befor the tryall falbe takin, both of the auld kyndnes and title of the supplicant, and of the estate of the benefice; quhat was the auld rentall therof, quhat present; and the proces and tryall thereof returnit againe to the Generall Affemblye, quher ordour may be tane with the fute according to equitie: And lykewayes ordaines every Presbiterie, within thair awin jurisdiction, to try and examine what persons hes broken the act made against beneficit perfons within the Ministrie, that sells tacks or fewis, or makes vther dispositiouns quhatfumevir of thair benefices, or any part therof, against the actis of the Affemblye; and, after calling of parties, and due tryall tane, to report their names, with the proces, to the next Affemblye.

[Anent the power given to the Commiffioners appointed to the oversight of the whole Presbyteries: The speciall heids thereof are ordained to be put in forme be Mr David Lindfay and David Fergusone against afternoone. C.]

[The same day,] the proces led be the Presbiterie of Sanct Androes aganis Elifon Perfon, with the proces led aganis Mr Patrick Adamfone before the Presbiterie forsaide, and also the proces of the Synodall of Fyfe, to iustifie the accusatioun led aganis the said Mr Patrick, was exhibit [to the Assemblie : which being read, with the depositions of the witnesses led against him, the Assemblie ordeaned their brethren, Mr Andrew Hay, John Johnstone, and James Ramfay, to collect the witnesses to prove the articles, and what articles they prove, betwixt and four hours. C.]

Sessio 14<sup>a</sup>.

Forfameikle as in reiding in schooles, of profane authors, quherin many things are wrytin directlie impugning the grounds of religioun, and speciallie in the philosophie of Aristotle, oft tymes the youth being curious and of insolent spirits, drinckes in erroneious and damnable opiniouns, and founding them vpon the bruckle authoritie of profane wryters, mantaines thair godles and profane opinions obstinately in disputatioun and vtherwayes, to the great slander of the Word of God, and offence of the simple and vnlearnit : Therfor, it is provydit, and after reasoning, be vniverfall advyse and good consent, agreeit, that, in all tymes coming, the masters, regents, and teachers of schooles, in reiding of profane wryters, fall vigilantlie take heid, if ther be any thing alledgit or wrytin in them against the grounds or heids of religioun ; and, in teaching therof, to marke and note the places, confute and evict the errors, and admonisch the youth to eschew the same, as erroneious and false ; and, namelie, in teaching of philosophie, to note the propositions following, as erroneious, false, and aganis the Religioun, and condemnit be the common vote of the hail Kirk.

1. Omnis finis est opus aut operatio.
2. Civilis scientia est prestantissima, ejusque finis prestantissimus et summum hominis bonum.
3. Honeſta et juſta varia ſunt et inconstantia, adeo ut ſola opinione conſent.
4. Juvenes et rerum imperiti, et in libidinem proclives, ab audienda morum philoſophia arcendi.

5. Quod aliud ab aliis bonis, et per se bonum est, et causa cur cetera per se bona sunt, non est summum bonum.

6. Dei agnitio nihil prodest artifice ad hoc, ut arte sua bene utatur.

7. Summum bonum vel minimi boni accessione augeri aut reddi potest optabilius.

8. Pauper, deformis, orbus aut infans, beatus esse non potest.

9. Bonum eternum bono vnius diei non est majus bonum.

10. Felicitas est actio animi secundum virtutem.

11. Potest aliquis sibi suo studio felicitatem comparare.

12. Homo in hac vita [cumulaté] et esse et dici potest beatus.

13. Post hanc vitam nemo potest vel esse vel dici beatus, nisi propinquo-  
rum vel amicorum ratione.

14. Natura apti ad virtutem, eam agendo comparamus.

15. Virtus est habitus electius in ea mediocritate positus, quam ratio prudentis prescribit.

16. Libera est nobis voluntas ad bene agendum.

17. Mundus est phisice eternus.

18. Cæsus et fortuna locum habent in rebus naturalibus et humanis.

19. Res viles et inferiores non curat Dei providentia.

20. Animi pars vna vel etiam plures sunt mortales, et quæ hinc pendent  
et necessario consequuntur.

And if any beis found to doe in the contrair [heirof,] the censures of the Kirk to proceed against them: And sicklyke, that Masters, Regents, and Teachers, Auditours, or vthers, [fall not] assent or defend any of the faids propositious already condemned be the Kirk, or vthers that fall hap-  
pin to be condemnit be them heirafter, philosophice, probabiliter, or vther-  
ways, vnder the paine of the same censures of the Kirk.

#### Sessio 15<sup>a</sup>.

Item, That no act, or any vther thing proceeding from the particular Presbyteries, have faith in tyme coming, without the same be subscryvit be the Moderatour and Clerk thereof.

#### Sessio 16<sup>a</sup>.

[The same day, the Kings Majesties answers to the Articles of the Af-

femblic, being returned be John Brand, read openlie, and conferred with the saids Articles and Instruccion, it was thocht be the brethren, a great part of them are yet unsatisfied. As twiching the Laird of Fentrie, His Grace to be informed concerning the testimoniall alledged given him. As to the rest of the Articles, except concerning the transforming of the Abbacies in the temporal Lordships, That they may be yet futed at his Grace. C.]

The Kings Majesties anfuers vnto the Heids presentit to his Hienes from the Generall Assemblie of the Kirk.

At Stirling the 17 of October 1583.

His Majestie having confiderit the heids, and conferrit with the messengers, twiching the meaning and the explicatioun of the generalities therof, Vnderstanding the first point to be gatherit, of the granting of the benefite of pacificatioun be his Hienes to Mr David Chalmer: His Majestie knowing that man to be forfaultit only for that commoun actioun of his being at the feild of Langsyde, for quhilk pardon [wes] grantit to so many, thocht it no new or strange thing, at the request of such as [earnestly] movit his Hienes, to grant vnto him the lyke benefite, for the like cause, as many vthers had of befor obtainit; get no wayes intending to spare the dew punishment of him or any vther that may be chargit or may be found culpable of the murther of his Hienes dearest father; or that [are] or false adversares to the religioun, or impugnors therof, aganis his Hienes lawis made theranent; the executioun of quhilk his Majestie hes bein, is, and wilbe, willing to further.

The second heid generallie conceivit, being particularlie meinit of the gong Laird of Fintrie, His Majestie wisches the Assemblie to remember how his Hienes hes dealt in this matter, and quhat testimoniall the Kirk of Edinburgh grantit to him. His Majestie hes not hindrit the proceedings of the Kirk against him, nor no vther, but meanes to hald hand therto according to the lawis.

The 3 heid being specially meant of ane William Holt, Inglischman, that escapit out of the Castell of Edinburgh, His Majestie hes answered the Queine of Inglands [late] Ambassadour, quho movit his Hienes in that matter not long since. It is no vncouth thing to heir such a man so ef-

capit; alwayes quhat they heare tell be any indirec̃t meanes vsed for letting him depart, his Majestie being speciallie informed therof, will, after due tryall, sie the offenders punishit according to thair deservings.

The 4 heid being verie generall, His Majestie thinks, the Affemblie will not think it verie pertinent for them to have vote in the choosing of his Majesties servants, or to be over curious of the occasioun of placing or removing of them; neither get of the intelligence betuixt his Hienes and any forraine countreyes, for intertaining of civill peace and amitie, from the quihilks no princes or commoun wealthes in the world abstaines, although being diverse in religioun.

The 5 heid containing a generall complaint vpon some speciall matters appearandlie exprest in the matters following, His Majestie wisches the Affemblie, as they wald be speciallie and directlie ansuerit, so to forme thair petitionns, forbearing any particular examples, to ground generall propositionns; and to remember that [since] his Majestie tooke the government in his awin person, ther is moe good and profitable lawis made for the advancement of the Kirk and true religioun, nor of befor; the default of the execution therof, and performance of promise nothwithstanding in his Hienes default.

The 6, meaning speciallie of the tack sett to the Laird of Seagy of certaine victualls foorth of the superplus of the thrids, quihilk he had of befor in penshioun, That was no new forme, nor any wayes prohibite. He could asweill content him with the penshioun, as he had it of befor, frie of all payment of duetie. The necessar consideratiouns that movit the granting therof, are weill enough knawin to many. He is imployit in publick service, wanting the living quhervnto he is provydit in title, dureing his fathers lyfetye; and his service is, and may be necessar, both for his Hienes and the Kirk.

For any thing that may be thoct omittit toward the provisioun of Ministers, serving at the kirks annexit to Abbayis in the late dispositioun of them, that is weill supplied be act of Parliament; [the executioun quherof] hes rather stayit thir twa zeirs past in thair awin default or vtherwayes, they craveing to have thair assignatiouns continuat as in the zeirs preceeding; and as get not having directlie ansuerit to his Majesties message sent with his Maister of Requeists, to the Affemblie haldin at Sanct Androes: Alwayes his Majestie made choise of certain Barronis, and vthers of good appearance, knawin zealous to the furtherance of that good worke, lipning to



have had the assignatiouns formed befor the Affemblie : But being vncertaine of the tyme appointit therfor, this geir, is doubtfull, if they be come in Edenburgh ; quher if they be, his Hienes fall fend directioun to them to proceed ; or, if they be not, fall appoint vthers, so as the assignatiouns may proceed, and so vther things as are most neidfull resolvit, without any further delay.

Twitching the giving of spirituall livings to bairnes, and translating them in temporall Lordschips, his Majestie confiders his awin skaith and hinderance of his service therin. Quatever abuse hes entrit befor his accepting of the governement, tyme, and approbatioun of such provisiouns be decreits of the Sessioun, hes brocht the matter to that estate, as it cannot be vtherwayes helpit then be the Parliament ; quhom vnto thes being proponit, his Majestie sould hald hand to have such reformatioun in this behalfe as possiblie can be obtainit.

The default of punishment of vyces mentionat in the nynt heid, and of the act of provisioun of the poore, and punishing of vagabounds, man not be justlie impute to his Hienes, quho hes ever bein willing and ready to grant commissioun to such as the Ministers thocht meitest to execute [the same,] quher inhabilitie was [in] the Judges ordinar.

The 10 heid being generall, his Majestie wald be glad, not only to have it explainit, bot to heare all good informatiouns [that fall be offerit to him,] for the reformatioun of that quhilk may be found amisse, and how his lawis may have place, and justice be ministrat to the confort and commoun benefite of all his good subiects.

The 11 heid hes bein very generall ; and for the only one example that hes bein spokin [of] to his Hienes, twitching the removeing of the Principall of the Colledge of Aberdein to be Minister of Sanct Androes, his Majestie trusts the Affemblie will not think that matter, (the substances weill confiderit,) either so proper to the Kirk, or so improper to the civil estate, bot that his Hienes and Counsell had good ground and reason to direct his letters as he did, vpon the generalls of the north countrey, quherin none was prejudgit, seing ther was no charge containing power to denunce at the first, bot rather to doe the thing required, or compeir and schew ane cause in the contrar.



A. D. M.D.LXXXVI.

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The General Affembly of the Kirk haldin at Edenburgh, in the Ovir Tolbuith thereof, the 10 day of May 1586 : Quher ther was preſent his Majeſties Commiſſioners, my Lord Chancellour, Juſtice Clerk, Mr Johne Grahame, the Pryour of Blantyre, Mr Peeter Young, with the Commiſſioners direct from the Synodalls and Vniverſities.

[Exhortatioun was made be Mr Robert Pont, Moderatour of the laſt Generall Affembly. My Lord Privie Seale, Prior of Blantyre, and Mr Peeter Jong, the Kings Schoolmaſter, direct from the Kings Majeſtie, declared to the Affembly, when they were to chooſe a new Moderator, That his Grace being occupied in great affaires, could not this day give his preſence ; that his pleaſure was, that they ſhould ſtay from any further proceeding till afternoon ; and therfor deſyrit the haill brether, at afternoone, to repare to the Palace of Halrudhouſe, and convene in the great Chappell in the Abbay, quher he ſould propoſe his mynd to them ; and, in the meane-tyme, to ſuperſeide the electioun of a Moderatour quhill then : quher to the brether agreeit, ſeing the matter was but a circumſtance of time and place, with conditioun it ſould not prejudice the libertie of the Affembly in any point : Lykas the Commiſſioners declairit they underſtood of no prejudice meant therby. C. & B.]

Sessio 2<sup>a</sup>. Eodem die, in Capella Regia, coram rege.

[The Assembly convened after noon in the Chappell Royal. The King sitting at the end of the table, and the Ministers on fumes round about him, made an harang containing two causes wherefor he granted the Ministers their request for calling of that Assembly. The one was in respect of himself, that whereas, by the occasion of some late alterations within his realme, certain evill reports were blown and spread abroad of him, by some of his own subjects, both within his realme and without, That he had made defection from the true religion, wherein he was born, brought up, and instructed in from his infancie, He thought good to call that Assembly, as well to make protestation of his perseverance and soundness in religion, as also to offer himself there presently to satisfy any man that could give any reason wherefor they suspected him of such defection; alledging there could be no meet time nor place to accuse him of any fault in his life and conversation; or yet in authorizing of the Policie of the Kirk. The second cause was, for remitting of the Ministers of the Kirk to a judgment concerning the discipline of the Kirk; adding, that he purposed to establish that throughout his realme, which, by conference amongst them, should be found most agreeable to the Word of God. Then he bad them pass to their own orders. Mr Robert Pont said to him, Sir, we praise God that your Majestie being a Christian Prince, hath decored our Assembly with your own presence, and we trust your Majestie speaketh without hypocrisy.

Thereafter, prayer being made by Mr Robert Pont, the Kirk proceeded to the nomination of Mrs Peeter Blackburne, David Lindsay, Nicoll Dalgleish, James Balfour, to be on leits for choosing a Moderatour, and the said Mr David elected Moderatour hac vice. The King voted first for him, so the votes went after.

For the readier resolution and expedition of matters which are to be treated in this Assembly, the brethren nominated the persons underwritten, viz. Mrs Johne Robertfone, Alexander Rawfone, George Hay, Peeter Blackburne, the Laird of Dun, Williame Chrystefone, William Hepburne, Williame Morieson, Thomas Buchannan, David Fergusone, Robert Pont, Nicoll Dalgleish, the Kings Ministers, Adame Johnstoun, Alexander Hoome, David Hoome, Johne Knox, James Bryfoun, Andro Hay, James

Anderfon, Patrick Galloway, to convene with the Moderator at extraordinary hours, to confer, and give their advice in matters meetest to be proponed and resolved in this Assembly. But the King would not have David Hume, Minister of Coldinghame, to be of that number; for when he was named, the King said, I have something to say against that man, and so Alexander Hume, Minister of Dumbar, was chosen for him. C. & B.]

His Majesty appointed my Lord Secreitar, Justice Clerk, Privie Seale, Mr Johne Grahame, my Lord Culrose, Mr Peeter Jong, to confer, reason, and advise with the said brether on matters mutuallie to be proponed, and them, or any two [or three] of them, to concur with the Assemblée, on his Majesties behalfe, as his Hienes Commissioners, [the ordinary hours and place of the Assembly to be kept. He willed them to refer their greater matters to Munday following, at what time he minded to be present with them, and to propone certain matters to them; yet for certain occasions moving him, he was not present as he purposed. C.]

#### Session 4<sup>a</sup>. In Pretorio.

[The 11th of May before noone, there was proponed a question directed from the Synod of Lothian, If there was any man of another judgment, but that the discipline which we had these divers years bygone, was according to the Word of God. This question was thought fitt to be reasoned first in the privie conference with the Moderator, and then to be brought to the publick Assembly. C.]

Anent vniformitie of discipline: It is thought meett that the same be first proponit in the privie conference, and thereafter publickly.

[The Secretar, the Prior of Blantyre, Mr Peter Young, Commissioners from the King, proponed, Whither the Bishops might have preeminence over the brethren, if not jurisdiction, yet ordinis causa. The Assembly answered, It could not stand with the Word of God, only they must tolerate it, in case it be forced upon them be the civil power. C.]

Anent the Register [of the books] of the Kirk: Mrs George Hay and Patrick Galloway being directed to the Kings Majesty for to sollicite the redelyverance of the same, returned his Hienes answer, That they should be

delyverit to the Clerk ilk day during the Affemblie, but at evin they could be in the hands of the Lord Privie Seale, quhill the end of the said Affemblie, betuixt and the quhilk day his Majestie wald be present himselfe.

Sessio 4<sup>a</sup>.

It is thocht vniverfallie meitt, that through the hail Countreyes ther be ordourlie sett downe Presbyteries in the places vnderwrytin, quhilk are judgit most proper and convenient therfor, to the number following, viz. In Orknay, ane within the towne of Kirkwall : In Zetland, ane within the towne of : In Cathnes 2, Thurso and Dorno : In Rose 2, ane in Tane, ane vther in the Chanrie : In Murray 4, viz. Inuernes, Elgin, Forres, and Ruthven : In Aberdein 5, viz. Deir, Inuerrourie, Fordoun, Aberdein, and Kinkairdin : In Mernes, ane in Bervie : In Angus 3, Montrois, Dundie, Brechin : In Dunkeld ane : In Perth ane : In Dumblane ane : In Striveling ane : In Lowthiane 5, Lithgow, Edenburgh, Dalkeith, Haddingtoun, Dumbar : In Fyfe 4, Sanct Androes, Couper, Dunfermling, Kirkadie : In Mers, Chirnfyde : In Teviotdail 3, Melrose, Jedburgh, Kelfo : In Tweddall, Peibles : In Annandail, Muffett : In Nithefdaile 2, Dumfreis, Sanchar : In Gallo-way 4, Glenlufe, Wigtoun, Kirkudbright, Sanct Johnes Clauchan : In Carrick, Mayboill : In the Shirefdome of Air, in Air, in Cuninghame, in Irwing : In Ranfrew, Paislay : In Lennox, Dumbartan, in the Neither Ward of Clidefdail : In the Ovir Ward 2, Lanerik and Bigger. [And to the effect] that the kirk quhilk most properlie [sould be] vnite to every Presbyterie, sould be joynit therto, quhervpon the Presbiteries may be erectit convenientlie, the Affemblie ordaines Commiffioners for ilk Shirefdome, [their brethren underwritten, to wit, Mr John Robertfone for Rose ; Mr Alexander Rawfion for Murrey ; Mr Peter Blackburne and James Reid for Aberdeen ; Mr Andrew Mylne for Mernes ; the Laird of Dun, Mr John Hepburne, William Christefone, Mr James Balfour, for Angus ; the Bishop of Dunkelden for Dunkelden ; Mr Patrick Galloway for Perth ; Mr Andrew Young for Dumblane ; Mr James Anderfion for Stirline ; David Ferguson and Mr Thomas Buchanan for Fife ; John Brand, Mr Andrew Blackhall, Mr Thomas Makgie, William Sanderfon, for Lothian ; Mr John Spotfwood, George Lunde, for Linlithgow ; David Hume for

Merce; Mr John Knox, George Johnstoun, for Teviotdale; Mr Archbald Dowglafs, Robert Allan, for Tweddail; John Duncanfon for Galloway; John Mackcorne for Carick; Mr John Porterfield for Air; Mr Robert Wilkie for Cuninghame; Mr Andrew Hay for Ranfrew; Mr Patrick Walkinshaw for Lennox; Mr Andrew Polwart for Glasgaw; Thomas Lindfay for Lanerk and Biggar; to travel every one, according to their bounds limited to them, to the effect above written, and to present their travail the morn before noon. C.]

### Seffio 5<sup>a</sup>.

The brether appointit to give in the names of the kirks as they thocht they might most properlie be castin into Presbitries, pronuncit their judgements [and the names] in wryte; quhilk were delyvered to my Lord Clerk Register, quhom the Kirk requeisit to visite and confidder [the same, and] to give his judgement therof. As to the places quher the Synodall Assemblies shalbe baldin, and the day of thair nixt conventioun, It is thocht meitt that thair nixt Assemblie shal begin the first Tuesday of October nixt to come, in the particular places following; quher being conveynit they shal choose at thair awin optioun the same, or such vther places within thair bounds as they think most expedient therafter; and so furth fra tyme to tyme, as they shal appoint and think meittest. [Always] for the first tyme, [and next Assembly, shal convene as followeth, viz.] the Synodall of Orkney in Kirkwall; of Cathnes in Dornoch; of Rose in the Channonrie; of Murray in Elgin; of Bamfe in Torrie; of Aberdeen in Aberdeen; of Angus and Mernes in Brechin; of Dunkeld in Dunkeld; of Dumblane in Dumblane; of Fyfe and Perth in Sanct Androes; of Lowthiane in Edinburgh; of Merse, Teviotdail, and Tweddall, in Lawder; of Nithefdaile in Dumfries; of Galloway in Wigtoun; of Kyle, Carrick, and Cuninghame, in Air; of Clidfeldail, Ranfrew, and Lennox, in Glasgaw.

The Kirk requeisit my Lord Secreitar to intreat with his Majestie, that the Generall Assemblie may be geirlic heirafter observed, [or oftner as occasion shall be offered;] and to vnderstand quhat tyme his Majestie thinks meitt for [holding] the nixt conventioun.

Anent the doubt movit, Whither it be leifsum to any towne or citie

quher ther is ane Vniverſitie [in the ſame,] and a part of the parochin of the ſaid towne lyand to landwart, but their conſents and votis, to elect a Miniſter to the whole parochin and Vniverſitie, pretending the priviledge of ane old vſe and cuſtome: The Kirk has vottit therto negando, That it is not leiſum ſo to doe.

[Touching matters pertaining properly to General and Provincial Aſſemblies: Certain heads being read which were agreed on in the late conference holden betwixt certain of the King's Majelties Commiſſioners and ſuch others of the Miniſtry called be his Grace to that effect, the Aſſembly thought meet they ſhould be farther conſidered till afternoon. C.]

### Sellio 6<sup>a</sup>

Anent the heid red before noone, referrit to farther deliberation: The Moderatour declairit that the matter in a pairt being reaſonit in privie conference, they had pennit two articles, quhilk they thought good the Aſſembly ſould judge vpon, and to vote the ſame if they find it expedient; quhilk being red and advyſit with, the haille brether gave conſent thereto; of the quhilk articles this is the tenour:

It is found that all ſuch as the Scripture appointeth Governours of the Kirk of God, as, namelie, Paſtours, Doctours, and Elders, may conveye to Generall Aſſemblies, and vote in eccleſiaſticall matters; and all vthers that hes any fute or vther things to propone to the Aſſembly, may be ther preſent and give in thair futes, and propone things profitable to the Kirk, and heir reaſoning, but fall not vote.

2. There are foure offices ordinar fett down to vs be the Scripture, to witt, Paſtours, Doctours, Elders, and Deacons. The name of a Biſhop ought not to be taken [as it hath been] in Papiſtrie; but it is commoun to all Paſtours and Miniſters.

[The Aſſembly ordained a citation to be directed furth to ſummond Mr David Cuninghame, Biſhop of Aberdeen, to compear before the Preſbyteries of Glaſgow and Stirline, the 21 day of June nixt to come, in the toun of Stirline where they ſhould be aſſembled for the time, to be tryed, if he be guilty of the ſlander of adultery committed with Elſpeth Suderland, or any other perſon; and if he ſhall be found, be good appearance, to be criminal or guilty, after the ſaid triall, to ſuſpend him from the

function of the Ministry, to the next Assembly; and to summon him to compare before them, to hear the determination of the whole brethren thereanent; and that the summons, which is to be directed against him, be executed personally, if he can be apprehended; and failing thereof, at the Kirks of New and Old Aberdeen, and his dwelling places, be the Ministers of New and Old Aberdeen. C. & B.]

Anent visitation: The Kirk, after reasoning, has found that it is lawful and necessary at this time; but continuand the forme thereof, and the rest of the circumstances thereof, hereafter to be reasoned.

### Session 7<sup>a</sup>.

[The Assembly continued the answers to bills and supplications to the end of the Assembly, that the weighty matters might be discussed. C.]

Anent the heads of visitation, and circumstances left to farther consideration: At the desire of my Lord Privie Seale, the Assembly directed Mrs Robert Pont, Andro Melvill, Thomas Blackburne, Nicoll Dalgleish, Andro Polwart, and Thomas Buchannan, to conferre with the Kings Commissioners [in the Ile of the Kirk] thereanent, [and upon] such other matters as shall be communicated to them.

[The Assembly ordained Mr Craig to take two or three brethren with him, to urge the Master of Gray to the performance of his promise made, in presence of the King, at the baptism of his bearn, which was to subscribe the Confession of Faith, and to see him subscribe as said is. C.]

In presence of the haill Assembly, compareit my Lord Maxwell, and declared, that be the Kings Majesties command, he compareit before the said Assembly, as he had [found] caution for that effect before the Council to compare before them this day; and, in respect of his obedience, protestit his cautioner should be freed, and tooke instruments upon his protestation and compareance.

The Assembly, in respect they know not the cause of his compareance, nor the Kings Majesties command thereanent, desired him to be present the morne before noone; and, in the meane time, craving his Hienes Commissioners knowledge hereanent. The saids Commissioners protestit that his caution should no wayes be freed, quhill his Majesties mynd be returned to the Assembly.



Sessio 8<sup>a</sup>.

Anent the proposition of the Kings Majesties Commissioners, made to the haill Assemblie, to resolve, be good and commoun deliberatioun, if they will accept the Bischops [with the conditions] sett downe in the conference had betuixt certaine of his Majesties Counfall and certaine of the brether of the Ministrie, or if they will refuse: The Kirk continewit thair ansuer quhill the morne, after thair reiding publicklye of the haill conference.

[The Kings Commissioners, after publick reasoning with the brethren above named, came to the Assembly, and the Thesaurer proponed, that either it behoved them to approve the whole conference whereunto his Majestie agreed; or else that all things must remain as they were; for except the estate of Bishops were received as was agreed in that conference, the King would grant nothing. C.]

Compeirit the Erle of Mortoun, Lord Maxwell [and some others: Lord Maxwell] being accusit for heiring of Mefs, and the act of the Kings Majesties Privie Counsell being red for the satisfactioun of the Kirk theranent, he answered, He had satisfied the Kings law, and defyrit the conference of learnit men concerning the religioun and participation of the Lords table.

Sessio 9<sup>a</sup>.

[Certain heads advifed on in the privat conference being proponed to consultation, the Assembly for the most part voted, that the heads of the conference mentioned yesternight be first considered, to the effect they may resolve upon the answer. C.]

Anent the articles aggried [upon] in the conference haldin at Halierudehous, betuixt certaine appointit be the Kings Majestie of his Counsell, and certaine of the Ministrie callit be his Hienes to that effect: The particulars being oppinly red, the brether aggreit to the first article, it being conceivit in thir termes:

It is condiscendit, that the name of a Bischop hes a special charge and functioun annexit to it be the Word of God, the same that the ordinar Pastour hes.

Anent the remanent articles of the said conference: It was thocht good,

first, to lay some grounds to reason on : And, first, after reasoning, it was concluded, That it is lawfull to the Generall Assemblie to admitt a Pastour, [Bishop] or Minister haveand a benefice presentit be the Kings Majestie vnto the same.

Sicklyke, That visitatioun is in the person of Pastours.

Item, The Generall Assemblie may send a man, accompanied with such as the Presbitrie shall adjoyne to him in visitatioun.

### Sessio 10<sup>a</sup>.

In answering to the heids of the conference had betuixt certaine of his Majesties Counfall, and certaine of the brether at his command, the haill Assemblie declares, that be the name of a Bishop, they only meane such a Bishop as is descryvit be Paul ; and sive vnderstanding, they aggrie with the 3 article of the said conference.

Concerning the 4 article : It is aggried, that the Bishop may be appointed be the Generall Assemblie to visite certaine bounds, to be limitat to him ; and, in visitatioun therof, he shall proceed be advyce of the Synodall Assemblie, and such as they shall adjoyne to him.

In receiving of presentatiouns, and giving collatiouns of benefices, he shall proceed be the advyce and vote of the Presbytrie quher the benefice lies, and of certaine Assessours to be joynit to him, at the least of the most part of the Presbyterie and Assessours, vnto the tyme the Presbyteries be better constitute, and the Generall Kirk take farther ordour. The same Assessours, at the first tyme, shalbe nominat [and chosen] be the Generall Assemblie.

### Sessio 11<sup>a</sup>.

He shalbe subiect, in respect he is a pastour, as vther pastours are, to be tryed and censured in his lyfe and doctrine be the Presbytrie or Synodall Assemblie ; and because he hes commissioun of the Generall Assemblie, in that respect to be tryed be them.

If he admitt or deprive without the consent of the most part of the Presbyterie and Counsell, the deed to be null ; and the doing therof [to be] ane sufficient cause of deprivation of him.

His power to be ordinis causa, non jurisdictionis.

Quher they that are commonly called Bischops may not overtake the baill bounds, callit of auld Dyocie, Commissioners salbe presentit be his Majestie to the Generall Assemblie, and admittit be them therto, as the saids Bischops are to theirs, and to be comptabill allanerlie to the [said] Assemblie for their commissioun; and the Bischops to have no power within thair bounds more nor they have within his bounds.

The Commissioners being electit as said is, to have a lyke counsell and power in the executioun of thair office, as the Bischops hes.

The Commissioners appointit to visite in thair Presbitries or thair particular Kirks, as the Presbitries or Synodall Assemblies sall think good, not prejudging the Presbyteries particular visitatioun.

The same cause of lyfe and doctrine to depryve a Bischop or Commissioner, that depryves a Minister.

The 14 article: Aggried therto.

Anent the Assemblies: The first article aggried to.

The Commissioners for the Kings Majestie protestit, in respect the Assemblie hes caulin downe that quhilk was requyrit in the conference haldin at Halierude hous [betwixt certain of his Counsell and of the Ministry,] that nothing done neither in the said Conference, nor [in] this Assemblie, have any force or effect; and, namelie, in respect they have subiectit Bischops to the tryall and censure of Presbyteries and Synodall Assemblies.

In respect of the quhilk protestation, the Assemblie immediatlie directit to the Kings Majestie Mrs Robert Pont, James Mertin, and Patrick Galoway, to informe his Grace concerning this matter.

#### Sessio 12<sup>a</sup>

The brether directit to the Kings Majestie zesternight, reportit, That his Majestie could not aggrie that Bischops and Commissioners sould be vtherways tryed then be the Generall Assemblie.

In respect of the tyme, the Assemblie thought it expedient, albeit it be thought lausfull and reasonabill be them, that the tryall and censuring of the Pastours be in the Presbyteries quher they remane; nottheles, that the tryall and censuring of such Pastours as the Generall Assemblie sall

give commiffioun to vilite, falbe in the hand of the faid Affemblie, or fuch as they fall deput, quhill farder ordour be tane be the General Affemblie.

[Unto this ordinance the Kings Commiffioners do consent, and pafs from their former proteftation. C.]

Ordaines Mr Andro Melvill to pen a favourable letter to the French Minifters, quho are to repare within the countrey be the Kings Majelties licence, affiureing them of the travells of the Kirk at Hienes hand and burrowis.

Anent the continuance of the commiffioun givin to Commiffioners appointit be the Generall Affemblie: It is refolvit, that the faid Commiffioners fall continue in that charge for a geir nixt to come, and from thence furth, according as the faid Affemblie fall think expedient.

[The brethren are warned to repare to the Abbey the morne at ten hours; and, for that caufe, that they depart not. C.]

#### Seffio 13<sup>a</sup>.

[For as much as there abideth a weighty aëtion to be yet entreated,] concerning the appellatioun interponit be the Bifhop of Sanct Androes from the proces and fentence of excommunicatioun led and pronuncit againft him be the Synodall Affemblie of Fyfe: It was thocht meitt, that Mr Patrick Galloway and John Duncanfone paffe down to the Kings Majeltie, to defyre, if his Grace think good, that certaine of his Counfell be appointit, with certaine of the brether to be nominat be the Affemblie, to fight the faid proceffe and appellatioun, before the fame be brocht in publick judgment and fight of the Affemblie.

His Majelties anfuer being returnit, that he aggried vnto the faid defyre, [and appointed the morn at ten hours to that effect: The brethren nominated Mr Robert Pont, Mr Andrew Hay, Mr Andrew Polwart, Mr Nicol Dagleith, Mr James Balfour, Mr David Lindfay, Mr Adam Johnftoun, John Duncanfon, to convene with his Graces Commiffioners to the effect forfaid at the hour appointed; and ordaineth David Ferguson to fupply the abfence of the Moderator till his returning. C.]

Anent commiffioun of vifitacioun either be Bifhops or vthers: The Affemblie declares, that all the faids commiffiouns fall ceafe and take no effect in tyme comeing, without new commiffioun from the Generall Affemblie vnto them for that effect.

[Ordains Mr Robert Pont, Mr David Lindsay, David Ferguson, Mr Andrew Hay, to consider and make a choice, out of the whole number of the brethren, of the most godly, discreet, and qualified for the said visitation, and to give in their names to my Lord Secretar.

Touching the order of the Presbyteries: The consideration and judgment therof being already referred to my Lord Clerk of Register, so many of the brethren as have any doubt, or would be satisfied thereanent, are required to repair to him, where with reason they will be resolved.

For answering bills and questions: The Assemblies ordaineth their brethren, John Brand, Mr Andrew Mylne, John Clapperton, Mr George Paterson, James Anderfon, Mr James Melvill, Elder, and Johne Mackcorne, to convene the morn, at six hours in the morning, in the Isle of the Kirk, and there answer thereto; remitting allwayes such as are weighty and of difficulty to the whole Assembly; and that the said John Brand receive the said bills and questions, and deliver them to the Clerk to be subscribed be him; otherways the Clerk to refuse them.

#### Sessio 14<sup>a</sup>.

Such of the brethren as pretend any doubt concerning the order of the Presbyteries, are ordained to repair to the Clerk Register; who being satisfied with reason, the order may be established.

Sicklike, In respect of the matter of appellation of the Bishop of Sanct Andrews from the Synod of Fife, and the head of the Commissioners, and other weighty causes yet unresolved: The brethren are warned to stay till some order be taken therein. C.]

#### Sessio 15<sup>a</sup>.

Ordaines two or thrie of every Countrey to resort to my Lord Clerk Register, to visite the platt of Ministers stipends, and sicklyke of the Presbyteries, and ordour therof, quher they may give their advyce and be best satisfied.

Quher the Kings Majestie and his house makes residence, it is found meit, that they, with his Graces Ministers, be of that Presbytrie quher they

make thair residence ; and the ame to be vnderstood of the Nobilitie, thair housse and Ministrie.

The letter ordainit to be direct to the French Ministers being red, was thocht meit to be wrytin ovir, and delyverit to Monsieur Muleine vnder the subscription of the Moderatour and Clark.

### Seffio 16<sup>a</sup>.

Forfameikle as, in the conference, some things were thocht meit to be proponed to the Assemblie, concerning the matter of the appellatioun [interponit] be the Bischop of Sanct Androes from the proces and sentence of the Synodall Assemblie of Fyfe led and pronounced against him : The brether of the said Synodall, so many as were present being desyrit to remove, protestit concerning that actioun, that the Assemblie shuld proceed in forme, and take in the appellatioun with the processe ; heare the alledgances of the appellant, and thair ansuers, offering them ready instantlie to ansuer ; and so accordinglie to proceed and judge ; vtherwayes howfoevir they judgit, proceedit or sentencit in that matter, that it shuld be no prejudice to thair proces nor sentence, nor to them, nor to the haill Kirk of Scotland.

The brether for the most part vottit, not to entir in the rigorous discussing of the appellatioun and proces forsaيد, but to be a mids therin, such as was proponit in wryte, and red be the Moderatour opinly vnto them ; quberof the tenour is this :

If the Bischope, be his hand wryte, or personall appeirance in the Assemblie, in Gods presence will deny, that ever he either publickly profess, or meaned in any fort to acclaime a supremacie, or to be judge to vther Pastours or Ministers, or evir allowit the same to have any ground in Gods Word ; and if he had so done, it had bein ane errour, and against his conscience and knowledge :

2. If he will deny, that, in the last Synodall Assemblie, he claimit to be judge therto ; and if he did, that in that he errit, and in his imperious behaviour and contempt of the said Synodall and his brethren present, and crave ovirflight therof, and promise ane good behaviour in tyme to come :

3. If he will promise to acclaime no farther nor he may justlie be Gods Word, and according to the lait conference, and indevoure himself in all

behalfis to shew himselfe, in all tyme to come, ane moderate Pastour, [and] in so farre as he may be able, ane Bischop preseryvit by Paul, and to submitt his lyfe and doctrine to the judgement [and censure] of the Generall Assemblie, without any reclamatioun, provocation, or appellatioun therfra in any tyme coming :

For his Majesties satisfactioun, and to give testimonie with quhat good will we wald obey his Hienes, in so farre as we might and ought, or in conscience we may ; and for the good hope we have of his Majesties [favourable] concurrence in building of the house of God, and for quyetnes to continue in the Kirk of God within this realme ; and because the proces of excommunicatioun was led, and the sentence pronuncit dureing the tyme of the conference, quhervpon his Majestie hes takin occasion of offence, quhilk, for many good causes, were convenient to be removit ; We will forbear to examine the said proces, or to decyde quhatsoever provocation or appellatioun ; or to call in doubt the legalitie [or forme] of the said processe, or condemn the said Synodall ; yet, for the respects forsaids, and for good and weghtie consideratiouns, we hald the said proces [and sentence] as vnled, vndeducit or pronuncit, and repone the said Bischop, in all respects so [far] as may concerne the said processe and sentence of excommunication, in the former estate he was in immediately before the same, lykeas no proces or sentence had bein [led and] deduceit agains him ; provyding always he observe quhat hes bein promised be him in the premises, and behave himselfe ductionfullie in his vocation in all tyme coming.

[Touching Articles to be proponed to his Majellie and Counsell : Certain being conceived in write and read in Assembly, were ordained to be presented and craved, whereof the tenor follows. C. & B.]

[Humble petitions of the Ministry, conveyened at the Generall Assembly of the Kirk, to the Kings Majellie, for some matters tending to the establishing of the Policy of the same Kirk. C.]

It will please Your Majestie to take some substantiall ordour, how the countrey may, without delay, be purgit of the pestiferous sect of Jesuites ; speciallie of such quho for the freindship in the North is helie authorizit ; quho, although they have bein summound to vnderly the law, and assyse summound for that effect, get thair none compeirance being dispensit with,



they frielie gangand throw the countrey, meaning nothing lesse then to depart, and Jesuites foorth of the South and foorth of France repairing of new to them.

Item, That seeing papistry abounds in the North be reason of the scant of qualified Ministers therein, for laick of sufficient provisioun and stipend; and therfor that assignatiouns be made vnto them conformable vnto the Ministrie in the South; and that the thrids ther be not assignit to the Kirks in the South, quhill thair awin Kirks be first provydit sufficientlie; and such as hes bein vtherwayes disponit [may] be dischargit.

3. That Judges may be appointit in all shires for executioun of the acts of Parliament, made against the breakers of the Sabbath day, adulterers, and such oppin trangressours of Gods law.

4. That, in the cheife burrowstounes, ther be teaching ordinar 4 tymes in the weik, besyd the discipline, visitatioun of the seik, ordinar to Pastours, and vthers charges; that two Ministers [therfor] be appointit to such townes.

5. That ordour may be takin how the Colledge Kirks may be servit.

6. That ordour may be takin for manfes and gleibs to Ministers make and residence at Abbay Kirks; as also such as hes or fall have manfes or gleibs, fall have thair necessaries therto, such as fewell and pastourage, with seale and divot, as was wont [to be] of befoir.

7. That all gifts of benefices having the cure of faules annexit to them, disponit be his Majestie pleno jure, and not qualified persons presentit to them with ordinar tryall and collatioun following thereon, may be declairit, according to the Kings Majesties lawis already made, null; and that his Hienes will give new presentations therevpon to qualified persons; and the nullitie of the former gift to be discussit asweill be way of exceptioun as actioun.

8. That all presentationes or gifts of benefices of cure lesse nor Prelacies, disponit, as weill be his Majestie as [be] a lawit patrone, vtherwayes then to qualified Ministers, or in any extraordinar forme not allowable to the commoun law of the municipall laws of this realme, and forme observit in the reformat Kirk of the same since his Majesties coronatioun, may be annullit, and new presentations granted to qualified Ministers; admitting the nullitie to be discussit asweill be way of exceptioun as actioun.

9. That all collatiouns grantit be men that had no commissioun, nor ecclesiasticall functioun in the Kirk, nor of that place and countrie the

tyme of the giving of the collatioun, to be declairit null, and the fruites fequestrat, at the least quhill the persons claimand rycht be such collatioun, be of new examined, tryed, and admitted, if he be found worthie be them quho shalbe appointed for that effect, and authorized be this present Assemblie.

10. That the benefices of cure vnder prelacies, quhervnto Ministers are admitted, may be frie from payment of the first fruites and fyft penny, and may have their signatours of presentatioun exped be the Privie Seale, on his Majesties awin subscription only and the Secretars, without any payment or caution found to the Thesaurer; and such poore men as hes alreadie payit or found caution [for payment,] quherof my Lord Thesaurer hes not alreadie chargit him in his comptis, to have the same refoundit to them, or dischargeit.

11. Seing the fault of non depryving the vnworthie, culpable, and non resident Ministers proceids of this, that fundrie of the Bischops hes bein negligent in fundrie places; in some vther parts ther are no Bischops or Commissioners, and so the acts are not execute; the Bookes of Modificatioun full of [a number of] such persons as hes never shawin themselves as [Ministers:] That, therfor, ane commissioun be given to ane or ma qualified persons, [Ministers,] to sitt in Edinburgh, and call the non residents, and vthers delatit to be worthie of deprivation, and deprive them, quher ther may, be consultatioun of learnit men had, and the proces may be led without boast or feare.

12. It is heavilie complainit be many poore men, Ministers and Reidars, having personages and viccarages allignit to them for thair stipends, that they are exorbitantly and vngodly vsed in taxatiounes, thair benefices being lang fyne decayit throw the want of corps presents, vpmost claities, palch synes, offerands, and such lyke things, vsuallie payit in tyme of Papitrie, quhilk was the principall part [of the rents] of many personages and viccarages; and get they man pay the extremitie of the auld taxatioun according to the rait as rentalls then were, at the least without any releife; quher the most part of the Prelates exeimit from preaching or service in the Kirk, gets thair haill relief of the poore sewars and vassals: and that therfor ther may be found more equitable ordour of taxatioun appointit for the tyme to come.

13. That it will please his Grace to cause consider quhat prelacies hes vaikit since the act of Parliament made in October 1581; and that special

affignatioun be made for sustentatioun of the Ministers of the kirks belonging to them, of the readiest fruits of the same kirks; vtherwayes the provisioun according to the act to be declairit null.

14. That the Bischops, Commissioners of Argyle, and of the Yles, may be subiect to attend vpon the Assemblies Generall, and to keip thair Exercises and Synodall Assemblies, as in vther parts of this realme, quhilk is ane furtherance to the Kings Majesties obedience; since vtherwayes they appeir as exeimit out of his dominioun.

15. That his Majestie will geve directiouns to some persons of experience and good will, to searck, inquire, and try the true estate of the rents of all prelacies and vther benefices at this present, [and] in whose default, and be quhat occasioun they are hurt and disinembrit, that thereafter the best remedies that is possible may be confiderit and provydit for helping of them heirafter, both for the weill of the King and the Kirk.

16. That his Majestie will cause the Lords of Sessiou declare, Whither his Hienes or the Erle of Orknay hes right to the patronages of the benefices of Orknay and Zetland, to the effect that titles of benefices conferrit to poore men, Ministers, be not ay in danger of annulling, vpon vncertainty of the right of the patronages.

17. That no persons or stipends be put in the Booke of Modificatioun, but only such as the Commissioners of the Kirk fall affirme and testifie vpon thair trueth to be qualified persons, [and actually] making residence at thair kirks.

18. That viccarrage pensioners or stallars, as they vaik, after deceis or deprivation of the present possellours, may accresse to be joynit to the principall benefice, and to be assignit to the Minister in his living and stipend.

19. That all Reidars provydit to viccarrages or stipends of befor, may bruik the same quhill thair deceis or deprivation; and nane to be admittit to the title of any benefice of cure or stipend in the Booke of Modificatioun, in tyme coming, bot qualified Ministers.

20. That the haill rents of the benefices of cure vnder prelacies, disponsit to Ministers since his Hienes coronatioun, be assignit haill, and allowit to them in thair [livings and] stipends.

21. That the judgement of all causes concerning deprivation of Ministers from benefices in the second instance, fall come be way of appellatioun

to the Generall Affembly, and ther take finall end, and not before the Lords of Sessioun be way of reduction.

Sessio 17<sup>a</sup>.

The quhilk day Mr Andro Hunter, Minister, made protestatioun publickly in the Affembly as follows, viz. That in respect that the Provinciaill Affembly of the Kirk of God, gatherit together in his name, and haldin at Sanct Androes the 12 day of Apryle 1586, for manifest crymes [and] oppin contumacie, bes justlie and formallie, according to the word of God and sincere custome of the Kirk of God, excommunicat Mr Patrick Adamson; and that in this Affembly they take on them to absolve the said Mr Patrick from the said sentence [of excommunicatioun,] the proceffe not being tryed nor heard in publick, the person excommunicat not shewing no signs of true repentance, nor craving the said absolvitour be himselfe nor his procurators befor the verie tyme [quherin] they absolve him: He therfor for his part, and in name of all vther true brether and Christians quho will [be] participat heirof, taks God to record of the dealing of that Provincial and [this] Generall Assembly; protestit also befor the Almighty, his holy angels, and fantes heir conveyit, that he hes no assurance in Gods Word nor of conscience, to assent, allow or approve [this] his absolvitour [yielded unto be them;] and, therfor, vnto the tyme he perceive his conversioun to be true and effectuell, he cannot but hald him a man justlie delyverit to Satan, notwithstanding this his absolutioun: And this his protestation subserivit with his hand, he desyrit to be registrat ad perpetuam memoriam; and therwithall gave in the speciall reasons moving him therto, premitit vnto the said protestatioun, as the originall at lenth beares.

Mrs Andro Melvill and Thomas Buchannan adherit to the protestatioun made befor.

[Forasmuch as Mr Patrick Adamson, Bischop of Sanct Androes, hath be his submision underwritten, and presented to the Generall Assembly of the Kirk, daited at Halierudchous the 20 day of May 1586, and subscribed with his hand, declared, that in Gods presence he solemnly denied, that he either publickly professed, neither meaned in any sort to acclaim a supremacie

to be Judge to the Kirk, or any Assembly lawfully convened, or ever allowed the same to have a ground in Gods Word ; and if he had so done, it had been an error and against his conscience :

Item, Denied, that in the late Synodall Assembly at Sanct Androes he acclaimed to be Judge thereto ; and if he did, in that he erred, and will remitt him to the brethren present, and crave oversight thereof, and promise a good behaviour in time to come :

Item, He will in Gods preference promise to acclaim no further than he may justly be Gods word, and according to the late conference ; and shall be Gods grace endeavour him in all time coming, to shew himself in all behalfe a moderate Pastour, and so far, as he may be able, a Bishop prescribed be Paul ; and submit the tryal of his life and doctrine to the judgment and censure of the Generall Assembly in all time coming, according to the Word of God ; as the said writing subscribed, as said is, be the said Bishop, my Lord Justice Clerk, Mr Peter Young and Mr George Young witness beareth :—

Therefor, and for his Majesties satisfaction, and to give testimony with what good will the said Assembly would obey his Hienes, so far as they ought, or in conscience may ; and for good hope they have in his Majesties favourable concurrence in building of the house of God ; and for a quietness to continue in the Kirk of God within this realme ; and because the process of excommunication was led against the said Bishop, and the sentence pronounced during the time of the conference ; whereupon his Majesty has taken occasion of offence, which, for many good causes, were convenient to be removed ; They will therefor forbear to examine the said process, or decide whatsoever provocation or appellation, or call in doubt the legality or forme of the said process, or condemn the Synodal ; yet, for the respects foresaid, and upon good and weighty considerations, they hold the said process and sentence as unled, and undeduced or pronounced, and repon the said Bishop in all respects, so far as may concern the said process, and sentence of excommunication, in the former estate he was immediately before the same, like as no process and sentence had been led and deduced against him ; providing always he observe what hath been promised be him in the premises, and behave himself dutiefully in his vocation in time coming. C. & B.]

[Touching the Commissioners nominated be the Kings Majestie to visit the bounds after specified: The General Assembly of the Kirk advised

with the qualities of the said persons, and every one of them, hath admitted, and admitteth them to the said charge in the particular bounds, as followeth :—

That is to say, Robert Grahame to Cathnes; Mr John Robertson to Rofs; Mr John Keith to Murray; Mr George Hay to Banff; Mr Peter Bleckburn to Aberdeen; John Areskin of Dun to Angus and Mernes; James Anderson to Dumblane; Mr James Bryson to Nithisdale; Mr David Lindsay to Lothian; Mr Andrew Clayhills to Merce and Tiviotdale; John Duncanson to Galloway; John Porterfield to Keile, Carict, and Cuninghame; Mr Andrew Hay to Clidedale, Ranfrew and Lennox: and this their commission for the space of a year.

Touching beneficed persons meriting deprivation: The Assembly hath nominated their brethren, Mr Robert Pont, Mr David Lindsay, Mr John Craig, Mr Nicol Dagleish, John Brand, and any three of them, to proceed against such persons, conforme to a commission to be granted to them be the Kings Majestie, with advice of his Counsell to that effect. C.]

All Ministers are exhortit and admonishit to judge charitable of others, albeit ther be diversitie in their opinions and vottis, remitting every man to God and his conscience; and that none publickly or in pulpitt quarrell or impugne the determinatioun of the Generall Assemblie concerning the appellatioun from the sentence of the Synod of Fyffe.

#### Sessio 18<sup>a</sup>

The brethren direct to the Kings Majestie with certaine articles, craving present resolutioun, reportit his Majesties answer, That in the haill heids fand little difficultie except quhilk is noted with his Majesties hand: His Hienes aggried.

[The tenor of the said Articles. C.]

1. That ther be Generall Assemblies once every geir, and after pro re nata.

[Matters to be traited in the Provincial Affemblies.

1. Thir Affemblies are constitut for weighty matters necessar to be entreated be mutual consent and assistance of the brethren within the Province, as need requireth.

2. This Affembly hath power to handle, order and redress all things committed or done amiss in the Particular Affemblies.

3. It hath power to depose the office bearers of that Province, for good and just causes deserving deprivation.

His Majestie agreed not with this article, but in this manner: It hath power to depose the office bearers of that Province, except Commissioners and Bishops.

4. And generally thir Affemblies have the whole power of the Particular Elderships [or Presbyteries] whereof they are to be collected. C.]

Matters to be intreatit in the Presbyteries.

1. The power of Presbitries is to give diligent labours in the bounds committit to thair charge, that the kirks be kept in good ordour; to inquire diligentlie of naughtie and vngodlie persons, and travell to bring them in the way [again,] be admonitioun and threatning of Gods judgements, or be correctioun.

2. It appertaines to them to take heid that the Word of God be purelie preachit within thair bounds, the sacraments rightlie ministred, the discipline maintained, and the ecclesiasticall goods vncorruptedlie distribute.

3. It belongs to them to cause the ordinances made be the Affemblies Provincial and Generall, to be kept and put in executioun.

4. To make constitutionns quhilk concerns *τό πρεπον* in the Kirk, or decent ordour for the particular kirks quher they governe; provyding they alter no rules made be the Provinciaill or Generall Affemblies; and that they make the Provinciaills forsaids privie to the rules that they fall make; and to abolishe constitutionns tending to the hurt of the same.

5. It hes power to excommunicat the obstinat.

His Majestie aggried vnto this fyft article after this manner: It hes power to excommunicat the obstinat, formall proces being led, and dew intervalls of tymes [being observed.]



6. Faults to be censured in the Presbytrie : Heresie, papistrie, apostasie, idolatrie, witchcraft, consulters with witches, contempt of the Word, not resorting to the Word, continuance in blasphemie against God and his trueth, perjurie, incest, adulterie, fornicatioun, [commoun] drunkennes.

Thir things for the present, and farther quhill ordour be takin in the conference.

Anent Particular Kirks : If they be lawfullie rulit be [sufficient] Ministers and Sessiou, they have power and jurisdiction of their awin congregatioun in matters ecclesiasticall, to take ordour therwith ; and things that they cannot decyde, to bring them to the Presbyterie.

Farther, It was shawin to the said Assemblie be the brether direct to his Majestie, that his Grace declairit, That, for tryall of any slander in the lyfe and conversatioun and doctrine of Bischops or Commissioners, the said Assemblie shuld appoint a number of brether in every Province, having power from the said Assemblie to try them and take probatioun, lead proces therin betuixt and the nixt Assemblie, if occasioun fall fall out ; remitting the finall sentence and determinatioun to the said Generall Assemblie.

The Generall Assemblie of the Kirk gives full power and commissioun to certain brether of every Province to summond befor them respectiue, at such day and place as they shall think expedient, the Bischops and Commissioners, if they find occasioun of slander to arise be them in lyfe, doctrine, or conversation, at any tyme betuixt and the nixt Generall Assemblie ; and to try and take probatioun therof, lead and deduce processe against them, to the sentence exclusivé ; remittand the finall judgement therin to the said Generall Assemblie, [while order may be taken be uniform consent of the breithren ; that is to say, Mr Robert Inneis, William Gray, Andrew Anderson, for the Commissioner of Cathness ; Mr George Munroe, Robert Munro, Finlay Mansone, Andrew Mylne, Mr John Rofs, for Rofs ; Mr James Dundas, Mr Alexander Dowglas, Mr William Dowglas, Mr Alexander Rowsone, Mr John Inneis, Mr Thomas Howison, for the Commissioners of Murrey ; Mr James Duff, Mr Gilbert Gairden, John Philip, Mr John Knox, for the Commissioners of Bamf ; Mr George Paterfson, Mr Walter Stuart, James Reid, John Strauchan, Mr John Strauchen, Mr Thomas Billet, Mr Duncan Davidson, David Howisone, for the Commissioners of Aberdeen ; William Christeson, Mr Andrew Mylne, Mr William Morefone, Mr James Melvill, Mr James Balfour, Mr Paul Frazer, John Dure, for Angus and Mernes ; David Fergusone, John

Dykes, Mr John Caldecleuch, Mr Patrick Galloway, Mr David Lindfay, Mr Robert Pont, Mr Adam Johnston, Mr Nicol Dagleith, or any seven of them, to try the Bischop of Sanct Andrewes, if any new slander or offence fall out; Mr Patrick Galloway, Mr William Reid, Mr William Edmiston, Mr William Glasse, Mr John Abercromme, Patrick Weemes, for the Bischop of Dunkelden; Mr Andrew Young, Mr William Stirlane, Mr Arthure Futhie, Patrick Gillepie, for Dumblane; Mr Robert Pont, Mr Nicol Dagleith, Mr Walter Balcanquell, John Brand, Mr Andrew Blackhall, Mr Patrick Symplon, Mr John Hall, Mr Adam Johnston, for Lothian; John Clappertone, Mr Thomas Storie, William Balfour, Robert Futhie, Mr Archbald Dowglais, for Merce and Tiviotdale; Mr Ninian Mcclenoguhan, James Doddie, and the Ministers of Whitterne and Dumfries, for Nithisdail; John Mackcorne, Mr Peter Prymerose, John Inglis, Mr David Mylne, Mr Robert Wilkie, Mr William Strang, for Kyle, Carick and Cuninghame; Mr Andrew Polwart, Mr John Hamiltoun, Mr Patrick Sharp, Mr Patrick Davidson, Mr David Weemes, Mr John David Davidson, for Cliddisdail, Renfrew and Lennox; and thir brethren to report their proceffe and tryall to the next Assemblie, where sentence may be pronounced according to the qualitie and circumstances of the action: and the samen brethren respectiv according to their Countries or Touns, and be Assessors to the Commissioners of their Countries, and with the advice of their Presbyteries, in taking tryall of persons presented to benefices, and admitting of them; except in Fife, where there are appointed Assessors to the Bishop, David Fergusone, John Dykes, Mr Adam Mitchell, John Ure, Mr Robert Wilkie, Mr James Wilkie, Mr James Martine. C.]

Anent Moderatours of Presbyteries: Quhill farther ordour be tane, it is agreeit that quher the Bischops and Commissioners make thair residence, that in these Presbyteries they shalbe Moderatours, except in Fyffe, quher, be his Majesties advyce, Mr Robert Wilkie is continuit Moderatour of the Presbytrie of Sanct Androes untill the nixt Synodall Assemblie.

At the sute of the Assemblie, his Majesties Commissioners hes aggried, that the priveledge quhilk the Kirk had in the Sessioun, of two dayes in the weike for calling thair actionns, shalbe restoreit; and John Lindfay and Mr Johne Grahame to be ordinar waiters on theron.

Sicklyke aggriet with advyce of the saids Commissioners, that James Mowat be Solicitar for the Kirk, if Mr George Mackison and he be aggriet.

[The General Assembly giveth full power and commission to their lovit

brethren, Mr Robert Pont, Mr David Lindfay, Mr Nicol Dagleith, Mr Walter Balcanquell, Mr Adam Johnstoun, John Brand, his Majesties Ministers, with such others nominated in the commillion given for depriving beneficed Ministers, &c. that shall happen to be present, to present vnto his Majestie and Counsell the humble petitionous, complaints, articles and heids delyverit to them, and, with all due reverence and humble obedience, to crave his Majesties answer therunto; treat, conferre, and reason therevpon, and vpon such heids and articles as false, on his Majesties behalfe, or be his Graces Commissioners, proponit to them; and quhat heirin beis proceedit, to report to the next Generall Assemblie of the Kirk. C. & B.]

[Anent Ministers that are not provided to flocks: The Commissioners directed to the King shall travaill that they may be placed be advyce of the Commissioners of the Countries and Presbyteries. C.]

Anent the excommunicatioun of Mr James Melvill, Minister of Kilrynie, and certaine brether of Fyffe, be Patrick Hamiltoun and Samuel Cunningham: The Assemblie ordaines the Presbyterie of Sanct Androes to take tryall in that matter, and put ordour to the same, according to the qualitie of the offence.

The estate and ordour of the Presbitries, with the bounds of the Commissioners, presentit be my Lord Clerk of Register, and fett downe be his Lordships travells, at the request of the Kirk.

#### ȢETLAND.

Tingwell.	Sandnes.
Whytnes.	Papa.
Vefdeale.	Fula.
Quhalsa.	Vaus.
Skerres.	Olaberrie.
Nesting.	Sanct Colmes Kirk.
Lunafling.	Crosse Kirk [in Northmaving.]
Brassay.	Delting.
Burray.	Olmafirth.
Sandfling.	Stalifta.
Ethfling.	Fetlare.

Hammabo.  
 Rafuird.  
 Nels in Zell.  
 Vnft.  
 Sandwick.

Cunifbrugh.  
 Croce Kirk.  
 Faire Yle.  
 Bulgefta.  
 Dunroftnes.

## ORKNAY.

Kirkwall.  
 Sanct Olaus Kirk.  
 Birfa.  
 Harray.  
 Sanct Androes Kirk and Deirnes.  
 Holme.  
 Orfare.  
 Stanehoufe.  
 Firth.  
 Euie.  
 Randell.  
 Inhallow.  
 Stromnes.  
 Sandwick.  
 Ruffay.  
 Egliffay.  
 Weir.  
 Vallis.  
 Flattay.  
 Farray.

Hoy.  
 Grimfay.  
 Sanct Nicolas Kirk.  
 Marie Kirk.  
 Peter Kirk in Stronfay.  
 Ethay.  
 Torray.  
 Ladie Croce Kirk [in Wefttra.]  
 Papa Wefttra.  
 Ladie Kirk.  
 Croce Kirk.  
 Sanct Colmes Kirk in Sanda  
 [and North Ronaldfay.]  
 Shapinfay.  
 Ladie Kirk in Burnwick.  
 Peeter Kirk.  
 Strownay.  
 Burray.  
 All in South Rannalfay.

## CATHNES.

Weik.  
 Bouar.  
 Vaiting.  
 Cannifbie.

Dunnett.  
 Halkirk.  
 Skenquhair.  
 Olrick.

Lathroonie.  
Thurfe.  
Ray.

Ardurnes.  
Farre.

## SOUTHERLAND.

Aflint.  
Dornoch.  
Creich.  
Lerg.  
Roggert.

Kilmalchie.  
Clyne.  
Loth.  
Kildonan.

## Ros.

Kincardin.  
Taine.  
Eddertaine.  
Nig.  
Terbert.  
Kilmuire Eifter.  
Logie Eifter.  
Rosken.  
Newmakyle.  
Alnes.  
Kilterne.  
Lulair.  
Dingwell.  
Chanrie [of Rosmerky.]  
Aua.  
Kilmuire Wester.  
Arthurfeir.  
Foddertie.  
Killernan.  
Suddie.  
Kinnettes.

Vrquhart.  
Logie Wester.  
Vrray.  
Cullickden.  
Kilmorack.  
Kirk Chryft.  
Kirk Michell.  
Contane.  
Cromartie.  
Lochbroome.  
Lochalfie.  
Lochcarron.  
Gerlock.  
Applecroce.  
Kyntaill.  
Inuernes.  
Bowochie.  
Farnway.  
Croy.  
Moy.  
Pettie.

Brachtie.	Conveth.
Bravanie.	Comer.
Dallarasch.	Abertarfe.
Lundich.	Kynnies.
Dawie.	Lagane.
Durris.	Skir.
Dacus.	Alloway.
Bollefkine.	Rothiemurcus.
Vardlaw.	Kincardin.

## MURRAY.

Forres.	Spynay.
Edincalchie.	Kinedward.
Altar.	Ellie.
Raffort.	Duffus.
Ardelache.	Ougstoun.
Doles.	Dupple.
Alyes.	Ruthwen.
Landbryd.	Aberloure.
Dyke.	Skirdurfskin.
Moy.	Pittinthur.
Aldearne.	Birney.
Nairne.	Rothies.
Kirmichaell.	Vrquhart.
Enneralloch.	Bellie.
Knokandoch.	Kinnor.
Vrquhart.	Dunbennen.
Glenmoriestoun.	Botter.
Ennerawin.	Elchis.
Douthill.	Glafe.
Abernethie.	Garlay.
Abdie.	Drumgalgie.
Cromadaill.	Keith.
Elgin.	Rothemay.
Sanct Androes Kirk.	Forge.

Drumblait.  
Murthlache.  
Dummeth.  
Carbroch.

Effie.  
Rind.  
Achindour.

## BAMFF.

Rathwen.  
Forſken.  
Durdouch.  
Kincallartie.  
Fordice.  
Cullen.  
Deſkfuid.  
Orgouthill.  
Bamfe.  
Innerbundyne.  
Alnethie.  
Forgline.  
Ennerkithnie.  
Aberchirdour.  
Genry.  
Kingedward.  
Turreff.  
Auchterles.

Forgline.  
Deir.  
Fetterangus.  
Lundlay.  
Methlick.  
Tarwes.  
Pettringay.  
Crichmund.  
Rathin.  
Lummay.  
Cruden.  
Slains.  
Furway.  
Allan.  
Tyre.  
Aberdoure.  
Fillorth.

## ABERDEIN.

Logie Buchan.  
Foveran.  
Balhelvie.  
Auld Aberdein.  
Monycabok.  
New Aberdein.  
Nige.

Banchorie.  
Marieculter.  
Peterculter.  
Dilmaick.  
Duris.  
Dyce.  
Fintray.



Kintoir.	Keige.
Kinnellan.	Lochinhill [Leochel.]
Skene.	Monymusk.
Kinnairnie.	Eght.
Ennerowrie.	Auchindour.
Moinagy.	Tarnatie.
Rothlie.	Straichin.
Fyvie.	Birs.
Tarwes.	Boyne.
Logie Durnoch.	Tullich.
Premnay.	Glenmuick.
Leflie.	Abergairdin.
Dawiot.	Crathie.
Vue.	Kindrocht.
Raine.	Tond.
Kinathmert.	Cuschnie.
Chryfts Kirk.	Colchodistane.
Claitt.	Logiemar.
Inch.	Coule.
Collalmond.	Migwie.
Fetterneir.	Tarlane.
Kincardin O'Neill.	Kildrummie.
Glentannar.	Glenbuckit.
[Lunfanuan.]	Ennerauchtie.
Lefimore.	Kinbethock.
Cluny.	Forbes.
[Midmair.]	Keir.
Affuird.	Tillienefall.

## MERNES and ANGUS.

Fetteraffo.	Conveth.
Dunnottar.	Kinneth.
Garwock.	Bernie.
Catterling.	Rescobie.
Fordoun.	Arbuthnot.

Benholme.	Eglishev.
Eglefgrig.	Guthrie.
Aberluchnoch.	Edwie.
Glenbervie.	Dunnatyn.
Fettercairne.	Logie Montrose.
Newdefk.	Inchbraock.
Brechin.	Menmure.
Buttergill.	Marieton.
Killiemure.	Lunan.
Fernivell.	Ennerkeillor.
Cuikestoun.	Eithe.
Stracatrow.	Aberbroth.
Lethnoch.	Sanct Vigians.
Lochla.	Kinnell.
Navar.	Barrie.
Fynaven.	Abirlot.
Kincaldrum.	Dundie.
Nethir Airlie.	Mains.
Kirremure.	Logie Dundie.
Aberlemno.	Liphe.
Aldbar.	Ennergowrie.
Edzell.	Murrous.
Drumlappie.	Ballumbie.
Glames.	Monifuthe.
Clova.	Monikie.
Lunchthraithou	Pambryde.
Forfar.	Fowles.
Restennett.	Langforgan.
Methie.	Incheftuire.
Kinnettles.	Kynnaird.
Tannodyce.	Rossie.
Effie.	Abernyte.
Enderaritie.	Benvy.
Kirkbuddo.	Lundie.
Cortachie.	Auchterhoufe.
Montrose.	Teilling.
Dune.	Logie Allachie.

Strickmairtin  
Newtyle.

Nava.  
Migle.

## PERTH.

Malar.  
Kinnowll.  
Kinfawnes.  
Scone.  
Cambusmichaell.  
Sanct Mertins Kirk.  
Auld Melgidge.  
Kilspindie.  
Rait.  
Errol.  
Inchmertyn.  
Sanct Madoes.  
Abernethie.  
Dron.  
Dumbarnie.  
Potie.  
Montcreiff.  
Forgundenny.

Forteviot.  
Eglishmagirdell.  
Moucarlie.  
Dunnyn.  
Rind.  
Tibbermure.  
Aberdage.  
Pitcairne.  
Kintale.  
Madartie.  
Methven.  
Logiearde.  
Roggartoun.  
Collas.  
[Kethins.]  
Trinitie Gask.  
Findo Gask.

## DUNKELD.

Dowallie.  
Incheaddan.  
Clunay.  
Fothegayle.  
Weyme.  
Kilmawock.  
Strouane.  
Lud.  
Rainoch.

Dow.  
Garnetullie.  
Fosse.  
Logierait.  
Kirkmichaell.  
Mulyne.  
Ardunnan.  
Straphillan.  
Killen.

Lundyff.  
 Ratteray.  
 Cargill.  
 Blair.  
 Kapeith.  
 Clunie.

Bernnethy.  
 Allicht.  
 Ruthwen.  
 Glenaylla.  
 Kinchevin.  
 Monyday.

## DUMBLANE.

Kilbryde.  
 Kilmadock.  
 Kincardin.  
 Port.  
 Kilmahug.  
 Callendreich.  
 Lenie.  
 Aberfule.  
 Baquhiddel.  
 Cumrie.

Strowan.  
 Tillichetlie.  
 Muthill.  
 Stroeith.  
 Auchterairdour.  
 Aberruthuen.  
 Monyvaird.  
 Monizie.  
 Fowles.  
 Creif.

## STRIVELING.

Striveling.  
 Logie.  
 Lecrop.  
 Cambuskinneith.  
 Kippen.  
 Sanct Ninians.  
 Kirk in Muir.  
 Lairbair.  
 Duniepace.  
 Airth.  
 Bothkenner.  
 Clackmannan.

Tulliebodie.  
 Tullieallan.  
 Foffochie.  
 Tullieboyle.  
 Glendowan.  
 Muckart.  
 Dolour.  
 Aluethie.  
 Tillicowtrie.  
 Fawkkirk.  
 Slamanane.

## FYFFE.

Sanct Androes.	Lathbrisk.
Sanct Leonards.	Kirkforther.
Dinninow.	Kirkaldie.
Craill.	Sconie.
Kylrinnie.	Kennoquhy.
Anstruther.	Markinch.
Pittinweyme.	Methill.
Abercrombie.	Weymis.
Kilconquhar.	Dyfart.
Newburne.	Kinghorne.
Largo.	Auchtertoole.
Seres.	Bruntisland.
Kembock.	Auchterdyran.
Dairfie.	Ballingrie.
Balmirrienoeh.	Leslie.
Logiemurdo.	Dumfermling.
Leuchars.	Kinglallie.
Forgan.	Portmuck.
Couper.	Vrvel.
Kilmanie.	Kinros.
Auchtermoonfie.	Cleisch.
Creich.	Saline.
Dinboug.	Carnock.
Flish.	Culros.
Monymaill.	Crumbie.
Collellie.	Enderkeithing.
Auchtermuchtie.	Rofflyth.
Ebdie.	Aberdoure.
Stramiglo.	Dalgettie.
Arngosk.	Baith.
Falkland [or Kilgour.]	Torrie.

## LOTHIAN.

Linlithgow.	Dummanie.
Carriden.	Torphichen.
Binnie.	Bathcat.
Kinnell.	Livingstoun.
Caldercults.	Abercorne.
Strabrock.	Athcathe.
Eglifschmachan.	Kirknewtoun.
Kirkklifoun.	Calder Cleir.

## EDINBURGH.

Sanct Cuthberts Kirk.	Lafwad.
Corstorphine.	Glencorce.
Halierndebous.	Melvill.
Castell of Edinburgh.	Newbottle.
Leith.	Cockpen.
Duddiestoun.	Pentland.
Halis.	Penniecnik.
Restalrig.	Mouth Louthian.
Cramont.	Temple.
Ratho.	Borthwick.
Gogar.	Carringtoun.
Currie.	Clerkintoun.
Sanct Cathrin Hopes.	Creichtoun.
Mullilbrugh.	Ormeftoun.
Natoun.	Fala.
Libertoun.	Soutra.
Dalkeith.	Cranftoun.

## HADDINGTON.

Sanct Mertins Kirk.	Boultoun.
Elftinford.	Bothanes.

Morhame.	Coldinghame.
Barrow.	Aittoun.
Garvet.	Lambertoun.
Northberwick.	Haltoun.
Gulan.	Swyntoun.
Aberladie.	Horneden.
Seatoun.	Fishweik.
Tranent.	Piltoun.
Pinkietlend.	Chirneyfyde.
Saltoun.	Bunkle.
Keithhumby.	Preftoun.
Keithmarchell.	Lannell.
[Dumbar.]	Simpren.
Dunnas.	Langtown.
Spot.	Fogo.
Enderwick.	Polwart.
Auldhamficks	Dunce.
Coldbrandfpeth.	Whitfone.
Auld Cammis.	Mordingtowne.
Quhittinghame.	Lanfurmagus.
Tuninghame.	Ellanan.
Stentoun.	San&t Cuthberts.
Whytekirk.	Fowlden.
Auldhame.	Edrum.
Baffe.	Cranfchawis.

## [MERCE, TEVIOTDAILL, TWEDDALE.]

Kelfo.	Marbottle.
Meychell.	Mow.
San&t James Kirk.	Hownam.
Spreuftoun.	Auld Roxburgh.
Leinpitlaw.	Makerftoun.
Ednam.	Nantharnay.
Zettam.	Greinlaw.
Lintoun.	[Eccles.]



Duillis.	Bedreule.
Gordoun.	Abbotfrenle.
Hoome.	Hopes kirk.
Stitchell.	Haflinden.
Melros.	Cawers.
Leflindam.	Haick.
Maxtoun.	Veltoun.
Smalham.	Kirknewtoun.
Mertun.	Suddum.
Ligerwood.	Ekfourd.
Baflinden.	Caffiltoun.
Heffitoun.	Ettiltoun.
Lawder.	Peibles.
Chinglekirk.	Maner.
Stow.	Ennerletham.
Bowden.	Hopeculcheour.
Langnewtoun.	Traquair.
Lillifchleiff.	Ettlieftoun.
Selcraig.	Newlands.
Linden.	Kirkuir.
Newkirk off Ettrick.	Stobo.
Rankilburn.	Drumalcheour.
Alkirk.	Dalvick.
Geddart.	Brochtoun.
Crailling.	Glenhume.
Nifbit.	Stralling.
Oxnam.	Killbuchie.
Ancrum.	Lin.
Minto.	Lantoun.

## [CLIDDISDAILL, RENFREW AND LENNOX.]

Lanerik.	Libertoun.
Carlouarch.	Covington.
Pittinane.	Thankartoun.
Cothquhen.	Carnwath.

Robertstoun.	Cathcart.
Carstairs.	Givein.
Symountoun.	Campsie.
Wifchtoun.	Lunchie.
Craufurd Johne.	Monyabroche.
Crawfurd Dowglas.	Pailay.
[alias Crawfurd Lindfay.]	Neiles.
Hartfyd.	Kilbarchan.
Lamingtoun.	Eistwood.
Culter.	Mernes.
Velftoun.	Ranfrow.
Dunfchyre.	Incheinnan.
Dolphintoun.	Erskin.
Bigger.	Egillfham.
Dowglas.	Lochquinnock.
Carmichaell.	Houftoun.
Lefchmahago.	Kilmacolme.
Stenhous.	Killellane.
Glasgow.	Enderkip.
Calder.	Dumbartan.
Monkland.	Caldros.
Bothwell.	Bulill.
Schottis.	Lows.
Cambufnethen.	Kilmahew.
Dalzell.	Rofnethe.
Strathaven.	Killerne.
Hamilton.	Fintrie.
Dalferfe.	Strablain.
Glaflfuid.	Kilmaronock.
Cambuflang.	Drimmen.
Carmanoch.	Balfron.
Torrence.	Kirkpatrick.
Blantyre.	Bothernock.
Kilbryde.	Inchcalcheour.
Rutherglen.	

## [CUNINGHAME, KYLE AND CARICT.]

Irwing.	Sanct Caveoks
Perftoun.	Preftick.
Largis.	Dundonnald.
Cumrie.	Corfbie.
Kilbryde.	Symountoun.
Ardroffian.	Vchiltrie.
Kilwinning.	Auchinleck.
Dunlop.	Machlein.
Baith.	Kirk of Muir.
Steinfoun.	Gaftoun.
Dalry.	Darympill.
Kilburnie.	Queiltoun.
Kilmarnock.	Damellingtoun.
Lowden.	Mayboill.
Kilmaurs.	[Killbryd.]
Stewartoun.	Kirkoswald.
Dreghorne.	Kirkmichaell.
Air.	Calmonell.
Alloway.	Straitoun.
Barnwell.	Kirkeudbright.
Tarboltoun.	[alias Innertig.]
Craigie.	Daylie.
Rickartoun.	Girvane.
Monktoun.	

## GALLOWAY.

Schafchank.	Kirkmadin in Rynds.
Glenluis.	Wigtoun.
Inche.	Qulittorne.
Salfyde.	Cruglingtoun.
Kirkcolme.	Kirkowan.
Lefwalt.	Kirkmadin.
Staniekirk.	Sorbie.
Tofcartoun.	Kirkinner.

Mochrum.	Anveth.
Penighame.	Kirkmabreck.
Glaflertoun.	Kirdaill.
Kirkmaden in Farnes.	Monygaff.
Kirkudbright.	Dundrennan.
Galuey.	Bowthill.
Dunrod.	Geltoun.
Balmache.	Gelkftoun.
Kilchryft.	Kirkormock.
Twinem.	Corfinichall.
Tungland.	Partoun.
Borge.	Dalry.
Kirkanders.	Kellis.
Sandweck.	Balmaclellan.
Girtoun.	

## [DRUMFREIS.]

Drumfreis.	Penpont.
Troqueir.	Tyrewyn [Tynron.]
Terrigleis.	Dowrildair.
Newabbay.	Kilbryde.
Halliewood.	Mortun.
Suddick.	Kirkoneill.
Lochrawine.	Sanquhar.
Kirkunchean.	Clofburne.
Kirkpatrick.	Dalgairne.
Irongray.	Dunfkyre.
Kirkpatrick in the Muire.	Glencarne.
[alias Dunrand.]	Lochmabane.
Kirkbaine.	Muffett.
Cowan.	Kirkpatrick Juxta.
Callaverock.	Jonftoun.
[Tynwell.]	Wamfray.
Torquhorrell.	Kirkmichaell.
Kirkmacho.	Traillflat.

Dongranie.	Trailltrow.
Kirkwall.	Eglifhame.
Meikle Daltoun.	Mordeluie [Middlebie.]
Litle Daltoun.	Torrie.
Mufwald.	Kirkonnell.
Ruthwall.	Caruthers.
Huttoun.	Tonargirth.
Applegirth.	Gratnay.
Dryfdaill.	Red Kirk, alias
Sybbellie.	Kirk Pato [Patrick.]
Annand.	Vachop.
Dronock.	Cannabie.
Castellmilk.	Mortoun.
Cummertries.	Vafracker.
[Hoddome.]	Staplegratoun.
Luce.	Neither Kirk of Elis.
Pennerfacks.	Vther Kirk of Elis.

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A. D. M.D.LXXXVII.

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THE Generall Affemblie of the Kirk conveyit at Edinburgh, in the New Kirk therof, the 20 day of Junij 1587: Quher ther was affemblit the Kings Commiffioners, my Lords Chancellour and Blantyre, with the Commiffioners with the brethren.

Seffio 1<sup>a</sup>.

Exhortatioun made be Mr<sup>j</sup> David Lindefay, [Moderatour of the laft Affemblie, the Affemblie proceeded to the election of the Moderatour.] Leits, Mrs. Nicoll Dalgleifh, Patrick Galloway, Thomas Buchannan, Andro Melvill: The faid Andro, be pluralite of votes, was chofen Moderatour hac vice.

[For the better expedition of matters, and more orderly proceeding in fuch things as were to be proponed, he required the affiftance of certane brethren to concurre with him at exterordinary hours, which was granted. The Affembly nominated to that effect, Mrs. David Lindefay, Nicoll Dalgleifh, Patrick Galloway, Paul Frafer, Thomas Buchannan, Robert Pont, Robert Bruce, John Craig, Walter Balcanquell, Patrick Simfone, James Bryfoun, Peeter Blackburne, and Andro Hay. C. & B.]

Sessio 2<sup>a</sup>.

Mr David Lindefay and Johne Durie, quho were direct to my Lord Secretar anent his Majesties Commiffioners, reportit, That his Hienes hes nominat my Lord Secreitar and Justice Clerk, quho wold be present and concurre as thair opportunitie might serve; alwayes willing the Assemblie according to his Hienes mynd, befor any vther thing, be intreatit the cause of Mr Johne Conper: Nottheles, after some reasoning, was content they shuld be delayit quhill the morne; and that the brether quho are on the conference, shuld meet and reasone something concerning these causes.

Anent the Bookes of the Assemblie: Seing the Kings Majesties Commiffioners hes offerit thair concurrence to the recovering thereof, if it may be knowin in whose hands the samein are, the Moderatour delyrit the brether that could give any light in this matter, [to manifest the same;] and namely Mr Patrick Galloway, quho was direct in the last Assembly to the Kings Majestie to sute the delyverance of the said Register, and his Hienes answer theranent; quho declairit, His Majestie had promised to cause them be delyverit. Thereafter it was testified be Johne Brand, That at the last Assemblie, in his awin house, Mr Patrick Adamson, Bilchop of Sanct Androes, in presence of David Fergulone, confest quher the samein were, and at command obtained be the King, he shuld cause delyver the same: Lykeas also it was testified be Johne Durie that he heard him lykewayes grant the having therof: Quhilk testifications being considered be the Assemblie, they concluded that charge shuld be givin against him; and, for the better advyce in that matter, directit Mr David Lindefay to my Lord Secretar; quho returning with his answer, thocht meet ane supplicatioun shuld be givin to the Lords of the Counsell to obtaine charges against the said Mr Patrick; and lykewayes that the Kirk shuld use thair awin charges and authoritie: according quherunto the Kirk ordainit ane supplicatioun to be pennit and givin to the Lords the morne; and sicklyke ane charge to passe from this Assemblie, chargeing the said Mr Patrick to exhibite the saids bookes befor them, to be delyverit to the Kirk within thrie dayes after the charge, or shew ane reasonable cause why [he may not deliver them;] and sicklyke to compeer within the said space personallie, to answer for his absence from this Assemblie, and to such vther accusatiouns as shuld be laid to his charge, vnder the paine of the censures of the Kirk.



Sessio 3<sup>a</sup>.

All quarters fall refort to the Assemblie every day, at the due houre appointit therto, and remaine to the end every day, vnder the paine of payment of ane groat toties quoties.

[Touching the commission given be the Kings Majesty, with advice of the Assemblie, to certain brethren concerning non residents, and others deserving deprivatione: The saids Commissioners being present, and inquired of the discharge and due diligence of their office in that part, expounded, that for sundrie impediments their travells had not been so profitable as is required, namely, for lake of expences to the common affairs, to outred charges therein, absence of the Procurator of the Kirk, some times sloath of the Presbyteries in not remitting summonds to their dulterme, and by dispensations given be the Kings Majesty touching non residence, which is a common shift to many; alwise in some they have proceeded with sentence; others ly att interloquutor, desiring the judgment of the Assemblie if the said dispensatione shall be any cause to hinder procefs against them; and likewise craving the removing of the said impediments which hinder the executione of the said commisione: The Assemblie of the brethren ordaineth the Commissioners to give in the speciall impediments, with their judgment how the same may be removed, at their first opportunity; and sicklike the brethren which would understand the proceedings against any persons which were summoned before the saids Commissioners, to give in their names in writt, that a particular answer may be given to them for declaring of their diligence. C.]

Sessio 4<sup>a</sup>.

It was thoct expedient, notwithstanding of the ordinance made zeffter-night aganis Mr Patrick Adamson, for delyvering of the Register, That before the samein be put to executioun, ane humble supplicatioun be made to the Kings Majestie for that effect, quhilk the brether defyrit Mr David Lindsay and Johnne Duncanson to forme [immediatly, that it might be sent with expeditione.]

Forsameikle as ther hes bein a matter of greife conceivit be the Kings

Majestie against Mr Johne Cowper and James Gibbone, movit privilie to the Moderatour ; It was thocht expedient be the haill Assemblie, that the said cause be first privielie treattit and considderit be [the brethren under-written, to witt,] the Laird of Dunne, Mrs. Peeter Blakburne, Johne Porterfield, Thomas Buchannan, David Lindfay, Nicoll Dalgleish, and David Fergusone, quhom the Assemblie nominat to travell, reason, and conferre with the saids parties, and to sie if they can take vp the matter be thair awin advyce ; vtherwayes to propone the same to the full Assemblie, that the matter may be heard and reasonit ther ; and to that effect ordainit the said brethren [immediatly] to passe out of the Assemblie, and the said Mr Johne and James to passe with them.

[Touching the letter ordained to be penned by David Ferguson, Master Peter Bleckburne, Master Nicoll Dagleish, concerning the answer to the Kings Majestie touching the presentatione of their brother Master Robert Pont to the Bishoprick of Cathnes : The said letter being presented, and ratified after a few words changed, it was thought meet to be directed to his Grace.

Forasmuch as, albeit there be both laws and diverse proclamations published and sett out against Jesuits and Papists, and notwithstanding their number daily increased under the maintenance of diverse great men within the country, without fear of law, or any punishment to ensue for repressing thereof:] Seing his Majestie is now of perfyte age, and ane Parliament is appointed in the next moneth, it is thought expedient, that the acts of Parliament made be our Soveraine Lord, his Hienes predeceffours, and Regents for the time, for the libertie of the true Kirk of God and Chrysts religioun presentlie profess [therein] within this realme, and for repressing of Papistrie and Idolatrie, be collectit together and craved to be confirmed ; as lykewayes the execution of the saids acts may be considderit, and what farther either execution or law shalbe defyrit aganis the saids Papists and Idolaters ; as also such lawis and constitutions as are made to the derogation of such libertie, or to the prejudice or stay of the course of the Evangell, may be lykewayes collectit, to that effect thair abrogation may be sought : Quhervnto they nominat [their beloved brethren,] the Laird of Dun, Mrs Robert Pont, Nicoll Dalgleish, David Lindfay, Paul Fraiser, [and Master Thomas Buchanan, to concurre at such hours together, as they may best spare, and take pains in the said matter, and thereafter present their travells to the Assembly to be considered by them. C.]

Sessio 5<sup>a</sup>.

[Touching the Commission given in the last Assembly to their brethren of the Presbyteries of Glasgow and Stirling, to summond Master David Cuninghame before them att a certain day, to be tryed concerning the slander of adultrie with Elizabeth Sutherland, or any other person; and if they found him, by good appearance, criminall and guiltie, after the said tryall to suspend him from the function of the Ministry to this Assembly; and to summond him thereto to hear the determinatione of the whole brethren thereanent, like as at more length is contained in the said commission: wherof the execution being craved of the said Commissioners, and certane excuses pretended by them of the non execution thereof, which the brethren esteemed of small importance, of new giveth and committeth power to the said Presbyteries to direct out summonds to such a short and convenient day as is possible, to compear before them in Stirling, there to be tryed concerning the said slander, aither with the said Elizabeth, or with any other person; and if they find him, be good appearance, criminall and guilty, after the said tryall to suspend him from the functione of the Ministry to the next Generall Assembly, whereunto they shall summond him to hear the further determinatione of the whole brethren thereanent; and what shall be done herein to report thereunto; ordaining, if the said Master Davids resort be in Aberdeen, to cause the summons to be directed to him for the execution thereof, as they will answer upon their obedience to the Kirk. C. & B.]

Anent the diverse and greivous complaints of fundrie brether against Mr Patrick Adamfone, Bisshop of Sanct Androes, at whose instance he is [denuncit rebell and] registrat at the horne for none payment of thair [sustentatioun and] stipends assignit to them; and speciallie of Mrs William Strang, David Spense, Adame Johnstoun, and vthers; and of the slander that he lyes at the horne for not furnishing of two gallouns of wyne to the Communioun: This matter being heavilie regraittit to the Kings Commissioners, [promise] was made be the Pryour of Blantyre to communicat the matter to the rest of the Kings Majesties Commissioners, whose advyce for redresse heirof he fould report to the Assemblie.

As to the regrate of some brether, that partlie be his rebellious and lying at the horne, [and] partlie be his suspensions, some divisions rises,

that certaine resorts not to his fermouns, nor administratioun of the Sacraments made be him, nor vther service, as humiliatioun; vthers repaires therto; [and] swa appears some divisioun quhilk wald be redrest: The brether thinks meitt, [that,] befor they entir heirin, some anſuer be reportit of the former complaint.

[Touching the matter of Mrs Johne Cowper and James Gibfone, referred to be reasoned and travelled in yesterday be certaine of the brethren: The Assembly, by their votes, giveth their full power and commillione to the Moderator and the Assesseurs appointed to him, to conferre, consult, advyse, and, if they may, conclude and put finall end therto, to the effect the same may be brought to some finall good point and quietnes, without further trouble of the Assembly; praying God to give them good successe therein. C. & B.]

[Touching the slander of admillione of a Bishop latly to the Bishoprick of Glasgou, by all order, be the brethren of the West: The Assembly hath thought meet for good causes, that the said matter be first opened up and treated in privie conference afternoon, and thereafter brought before the whole number for satisfiying all the brethren.

Touching complaints and questions which hath been propounded in Synodall Assemblies, and could receive no resolutione: The Assembly appointeth Master David Spence, Master Adam Johnstone, Master Gilbert Garden, and John Porterfield, to reason the same, with such bills, as necessarily must come to the Generall Assembly, and divide them from others, to the effect they may be presented to the full number; and to that effect to convene at eight hours in the morning, and at two afternoon.

Touching the commission given to Mr Patrick Galloway, Master William Rind, Master William Edmiltoune, Master William Glas, Master John Abercrombie, and Patrick Weems, to try the Bishop of Dunkelden, and to summond him before them at such dayes and places as they should think good, if they found any occasion of slander in his life and conversatione and doctrine, betuixt and this Assembly, and to take probatione and lead proceffe therein to the sentence, remitting the same to the said Generall Assembly, as the said commission at more length beareth: which commission, in respect the same hath been as yet unexecuted and followed out, the Assembly reneweth, commanding the saids Commissioners to proceed conforme to the said commission in all points for executione thereof, as they

will anfuer upon their obedience ; and to report their diligence and tryell to the nixt Affembly.

### Seffio 6<sup>a</sup>.

Touching the complaint made concerning Maſter Patrick Adamſone, Biſhop of Sanct Androes, and ſlander given by him through lying at the horne, at the inſtance of ſo many of the brethren, and the anfuer of the Kings Maſteſts Commiſſioners thereto : C.]

His Maſteſties Commiſſioners being preſent, thocht meitt, becauſe Mr Patrick Adamſones matter is civil, quherin the Kings Maſteſtie hes entres, that his Grace ſould be forwarnit, quhilk the Kirk promiſes to doe.

Anent the doubt proponit, If it be ſlander to a Chriſtian to abſent himſelfe from the ſermons, miniſtratioun of the Sacraments, or vthers godlie exerciſes uſed be ſuch as lyes at the Kings Maſteſties horne, and are ſuſpendit fra all functioun of the Miniſtrie : The Kirk anfuerit, That there is no ſlander in this caſe, bot be the contrair [concluded, that] it is ſlanderous to a Chriſtian to reſort to the [ſermons and other] exerciſes forſaid of ſuch aue [one] quhom they know to be at the horne, and ſuſpendit from all functioun of the Miniſtrie, [as ſaid is.]

[Touching the ordinance given to certan brethren concerning Maſter Robert Montgomery : The brethren directed to that matter, declared they had the charge of the Affembly to ſett down to him a forme of repentance which he ſhould uſe, wherin they ſhould doe their parte ; but no obedience is given be him there.

For tryall of the books of the Commiſſioners diligence : It was thought meet, that out of every Province a certan be elected to viſit and conſider the ſaid books ; and to that effect the brethren nominated Maſter John Craig, John Durie, William Chriſteſone, Maſter Adam Johnſtone, Mr John Knox, Mr Thomas Mc'Gee, and Maſter John Houeſone ; and to conveen at ſix hours in the morning in the New Kirk, and at ſuch other extraordinary hours, as they may, while they have finally tryed them ; and thereafter to report to the Affembly what they find.

The Commiſſioner of Lothian being removed, and tryed, ſome brethren complained, that Maſter James Young having two kirks under cure, was placed be him, by the advice of the Preſbytrie, Miniſter alſo at Stentoun,

that kirk having a benefice that might susteine a Minister ; and further, in the Synodall Assembly, constitutions being made to repress the insolence of Ministers in their abusiements, yet sensyne he hath overseen the executione thereof against some persons which are present : To the which, reentering, he answered, That he had not placed simpliciter Master James Young at Stentoun, but only desired, whill some provision were made for it, that he should make some help ; and as to the benefice, it is provided of old. To the second : Answered, The persons which are meant to be insolent in appearell, were admonished ; and he received no direction from their said Presbytrie concerning such persons ; and further, the Presbytrie should take order among themselves with the brether of their number.

Sessio 7<sup>a</sup>.

Robert Graham, Commissioner of Cathnefs, being removed, he was charged, That he had a Highland kirk which he served not ; and that he made no residence at his own kirk : Reentering, answered, That he lacked the knowledge of the Irish tongue, yet upon his expences the kirk was served : And as to his none residence, The cause is, that he hath neither manse nor gleib ; and hath his partie at the home for the same : The Assembly remitted him to the Commissioners appointed for non residence, to be processed there.

Master Peter Bleckburn presented the bill to be directed to the Kings Majesty for procurement of the restitutione of the Books, which was read and ordained to be delivered to their brother John Duncansone. C.]

Anent the supplicatioun givin in for Gilbert Lamb and certaine in company with him keepit in prison in Citde [Seville?] in Spaine, for the testimonye of the trueth : The Assemblie ordaines thair brether of the Ministrie vniversallie to recommend in their prayers the said Gilbert in particular, and his company in generall, to God, and to crave thair deliuerance, if it be his pleasure, or ane finall perseverance and constancie to the end in the true confellioun of the Evangell.



Sessio 8<sup>a</sup>.

[Touching the slander of admision of the Bishop of Glasgow be the brethren of the West, referred first to the privit audience of the Moderator and his Assessours: The Moderator with the rest of the brethren declared they heard the said Commisioner and Presbytrie, and the whole form of admision of the said Bishop, which was only to the temporality, the ecclesiasticall jurisdiction being devolved by him in the Kirks hands, and with such conditions, in case the Generall Assembly should not allow of such admisione, that the same should be undone, whereupon his obligation remaineth; which forme albeit the said brethren would not maintain to be agreeable to the Word, nor the order of the Kirk heretofore observed, yett they did nothing therein of mind to hurt the Kirk, but rather to prevent greater inconvenience which might follow, if he had not been admitted; referring them herein to the good deliberatione of the whole Assembly: Which matter being well weighed and considered by the full number of the brethren, albeit they understand the good meaning the said brethren had, and acknowledge their zeall in resisting the corruptions in the times past to that estate; yet in conscience they univerally votted, and concluded the said forme of admision to be unlawfull, neither agreeing with the Word of God, nor with the order and custome of the Kirk; and therefore ordeaneth the said brethren, admitters of the Bishop, to try him with performance of the said obligatione, and to cause the said admisione to be undone and annulled; and that with all possible diligence, and betuixt and Michellmes nixt to come at farthest, to the effect the slander may be removed from the Kirk, as they will answer upon their obedience to the same. C. & B.]

Sessio 9<sup>a</sup>.

No Masters of Colledges or Schooles shall receive in their Colledges or Schooles to teach, any students or scholers, being of maturitie of age, who refuses to subscribe the true religioun presentlie establischt and profess, be the mercie of God, within this realme, or refuseing to participat the Sacraments, vnder the paine of the censures of the Kirk; and farther, befor any



fludent be promovit to any degrie in the Vniverſitie, that they fall toties quoties, as they fall be promovit, ſubſcryve de novo, vtherwayes their promotioun to be ſlayit, vnder the paines forſaid; and that the Preſbytries be diligent to ſie the executioun of this aēt, as they will anſuer to God.

[For as much as Satan in his members, dayly more and more ſeeketh by all means to increaſe his kingdome of darkneſs; and for that cauſe, in thir latter times, he ſtirreth up craftie and ſubtile ſpirits, enarmed mightily with ſophiſtrie and decete, to abuſe the Truth, and by ſhaddow of cunning and learning, to blind the eyes of the ſimple fort; for the which cauſe, it is the parte of the true Kirk vigilently to occurre to his craft, and, by all means, to endeavour the advancement of Chriſts Kingdome: And therefore C.] the Kirk within this realme lies advyiſt and found good, that the Preſbyteries, together with thair Commiſſioners in all the parts of the countrey, and every one of them for thair awin parts, preſcryve to every gong man that is Miniſter within ſuch a Preſbitrie, a part of Scripture, together with a part of the commoun places and controvertit heids of religioun, to be diligentlie red, conſiderit, and learned be him, within ſuch a ſpace of tyme as the Preſbitrie thinks good to appoint to him; and that his diligence may the better appeare vnto the fruit therof, at certaine tymes of the geir, everie Preſbitrie being conveyit, take a compt of the gong man of his travells, be requyring of him in the part of Scripture preſcryvit to him:

Fiſt. The ſumme and deduction of the matter:

2. The ſolid ſenſe and meaning of theſe places quhilk are moſt difficile to be underſtood:

3. A collatioun of the ſentences, [and arguments,] quhilk by reiding he may be able to gather out of that part of Scripture [proponed to him]; the quhilk arguments may either ſerve to confirme the trueth, or els to refute hereticall opinions. And as for the part of commoun places and heads of religioun preſcryvit unto him, let him be ready to anſuer to queſtioning and reaſoning to be had therevpon; and ſo to be exercit in this kynd, not for a tyme only, but from tyme to tyme, quhill he come to a certaine maturitie and ſolidnes in the Scripture of God.

#### Seſſio 11<sup>a</sup>.

[Touching the particular Seſſions of Kirks and Congregations: The

Assembly resolved, that they are and should be subject to their Presbyteries, as hath been accorded before be act of the Assembly. C.]

Anent the supplicatioun made in name of the towne of Haddingtoun, lamenting the away taking of thair Presbitrie againes the ordour of the last Platt made be the Generall Kirk: The Assemblie examining the cause of the removing thereof be the Commissioner, and finding the occasion thereof to have bein the lack of obedience and want of discipline, lies, at the earnest sute and craving of Mrs Nicoll Hay and John Ker, Commissioners for the said towne, reponit and restoreit the said Presbitrie, with condition and promise, that if ther be not better ordour and discipline kept be them in tyme comeing nor hes bein heirtfoir, that the samein false removit.

#### Sessio 12<sup>a</sup>.

[Elizabeth Lermont, daughter to Sir Patrick Lermont of Darrie, Knight, complained, that William Chillane, Reader at Auchtertole, had solemnized the marriage betwixt William Kirkealdy, alias Ker, Laird of Grange, and Mistres Elizabeth Lyon, secretly, and without proclaiming their names three several dayes, according to order, and after lafull impediment made by her at the Kirk of Glames the second day of the proclamatione; the said William being called, and accused that he had proceeded to the solemnizatione of the marriage above specified, without lawfull proclamation of the bannes thrife, and that within a privat house in another Ministers bounds, answered, That the proclamatione preceeded the solemnizatione, as a testimoniall presented by him thereupon beareth; and that the giver thereof being sick the day of the solemnizatione, he executed the office, and solemnized the marriage in the place of \_\_\_\_\_, for the which he submitteth himself willingly in the will of the brethren: Which confession being considered by them, they find, That he hath transgressed the acts of the Kirk in making the said marriage intra privatos parietes, and therefor to have incurred the penalty thereof, viz. deprivatione from his office and function in time coming. C. & B.]

Sessio 13<sup>a</sup>.

[Touching the presentation of their brother, Master Robert Pont, re-commendit be the Kings Majestie to the Bischoprick of Cathnes: The said Master Robert Pont, before his removing from the Assemblie, to notifie his mind to the whole brethren, that no man should take any just occasion of slandering his person, declarit, that for some losse and hurt done to him in his trouble, after diverse sutes given into the Checker, at length this presentation, without procurement of him, was put in his hand; and if the living might be bruikit with safe conscience, and without slander of the Kirk, desyrit thair judgement; this farre alwise being of mind resolved in that matter, that he would agree to be Minister of Dornock, and to take visitation according to the command of the Kirk; and, for his office and charge, bruik the living only: With the which matter, after the removing of the said Master Robert, the Assemblie being in a parte entered upon reasoning, delayed their farther consultation thereof till afternoon; desiring Master Niccoll Daglieth, Master Peter Bleckburne, and David Ferguson, to consider, be the said Master Roberts advice, what answer shall be given to the King; to be reported be them again to the Assemblie at the afternoone. C. & B.]

Sessio 14<sup>a</sup>.

[The Commissioners for the toun of Edinburgh requisted, that Master James Melvill, or Master Patrick Galloway, might be appointed to succeed in the place of Master James Loufone, their late Pastor; and in case there be lafull impediment, that they would appoint some other qualified man. Master James and Master Patrick alledged sundrie impediments which were found lafull; whereupon the Commissioners for the toun desired Master Robert Bruce might be appointed to supplie that place. The Commissioners being removed, the whole brethren voted the said Mr Robert to be a meet Pastor for the said flock, a man endued with many good qualtyes anfuereable to that place, and assented, in case his own consent might be obtained; and ordained Mr Andrew Melvill, and Mr

David Lindfay to travell with him, in their name, and to exhort him, in the name of God and of his Kirk, to accept the charge. C.]

Seffio 15<sup>a</sup>.

A letter [being] direct be Johne Duncanfone, bearing the Kings command to the Bischop, for deliverance of the Bookes, at least foure of them, and that Mr George Young was stayit quhill the saids Bookes should be delyverit : The Kirk immediately directit [their brethren,] Mrs James Nicollfone and Alexander Rawfone to my Lord Secreter, to the effect the samein might be presentit ; and, after thair directioun, and reiterat directioun of thair brether, Mrs Andro Melvill and David Lindfay, [at length] Mr George Young presentit to the sight of the Kirk fyve volumnes of thair Actis, quherof a great part being mankit ; and, after the sight therof, being redelyverit to the said Mr George : The haill brether ordainit ane heavie regrate to be made to his Majestie in article, lamenting the away taking and mutilating of the saids Bookes, and to crave that the samein may be restored ; and also, that the saids Bookes may be delyverit in the Kirks hands, to remane with them as thair awin Register ; namelie, in respect of the ansuer returnit from my Lord Secreitar, that his Majesties will was, that the Kirk shold have inspectioun therof as they had adoe presentlie, and to give them vp againe.

[Touching the new nissive thought good to be directed to the Kings Majestie, for ansuer to the Kings recommendation of their brother, Master Robert Pont, to the Bishoprick of Cathnes : The same being read publickly was thought meeter to be directed unto his Grace, then the ansuer read of before : Of the which ansuer the tenour followeth :—[C. & B.]

Sir, [Let it please your Hienes,] We have receivit your letter willing vs to elect Mr Robert Pont to the Bishoprick of Cathnes, vacand be deceis of vmquhile Robert Erle of Marche, your Hienes uncle. We praise God that your Majestie hes such opinioun and estimatioun of such a person as we judge the said Mr Robert to be, quhom we acknowledge [indeed] to be alreadie a Bischop according to the doctrine of Sanct Paul, and qualified to vse the functioun of a Pastour or Minister at the Kirk of Dornoch, or any vther kirk within your Hienes realme, quher he is lawfullie callit, and worthie to have a competent living appointit to him [therfor ;] as also to

have the office of a Commiffioner or Vifitor in the bounds [or diocie] of Caithnes, if he be burdenit [therwith]: But as to that corrupt eftate or office of them quho hes bein termed Bifchops heirtfoir, we find it not aggreable to the Word of God, and it hes bein damnit in diverfe vther our Affemblies; neither is the faid Mr Robert willing to attempt the famein in that manner: The quhilk we thought good to lignifie vnto gour Majestie, for anfuer vnto gour Hienes letter of nominatioun, and have ordainit our brether to be appointit Commiffioners to awaite vpon the nixt Parliament, to conferre with gour Hienes and Counfell [at more length,] if neid beis, heirypon. This, eftir offering our humble obedience, we earneftly wilch the Spirit of the Lord to affift gour Hienes in all godlie affaires. From our Generall [Affemblie,] the 28 of Junij 1587.

[Touching the queftioun moved, If fufpenfioun of a Minifter from the functioun of the Miniftrie for a tyme, for juft caufes, be repugnant to the Word of God, or no: The Affembly, albeit they thiuk no juft doubt may be moved in this matter, in refpect of diverfe conclufiouns of befor, with the daylie practife and example fenfyne; yet the matter being reafonit de novo, C. & B.] It is found, that the famein aggries with the Word of God and his Scriptures; and therfor the acts made theranent of befor, to ftand in full [force and] ftrenth, and not to be callit back [againie] in any wife.

[It was agreed that one article be prefented to the King, exprelling their grieff, that fundrie papifts of great calling are promotted to offices and benefices contrair to the acts of Parliament; and that fuch, and others of higher rank within the countrey, take upon them the maintenance of Papifts and idolaters, namely the Earles of Huntle and Sutherland, the Lord Hume, the Lord Gray, the Lord Heries, the Laird of Fintrie, and young Glenbervie. C.]

#### Seflio 16<sup>a</sup>.

It is concludit that all Pafours of quhatfoevir fort they be, falbe fubiect to the cenfure and tryall of thair brether, afweill of the Prefbitries as Synodall and Generall Affemblies, concerning their lyfe, converfation, and

doctrin; and such as refuses thair tryall or censure, that the saids Prelbtries, Synodall or Generall Assemblies proceed against them.

Mr Andro Melvill was ordainit to pen a favourable wryting, [in name of the Assemblie] to the Ministrie in Danskine, congratulating thair embracing of the trueth in the matter of the Sacrament.

[Mr Robert Bruce being present and desired to accept the charge [of the Kirk in Edinburgh, in the place of Master James Loufone, late Pastor thereof,] declared he was not yet resolved to accept the samine simplicitie, alwise he would communicat his labours to that flock till the next Synod; and if he found himselfe then resolved, and meet for the charge, he should continue; otherwise he would be free.

As for Master Patrick Adamson: The Assembly had agreed to answer, that there was nothing proceeded against him in the Assembly.

As to Mr David Cuninghame: There was a notorious slander in his person, and the brethren could not see nor know any clear purgatione as yet.

James Gibson was absent. Mr John Couper desired to be heard.

### Session 17<sup>a</sup>.

For penning the instructions to be given to the brethren appointed to take order, and give answer unto five articles propounded by the Kings Majesty unto the Assembly; the Assembly hath nominated their brethren, Master James Melvill, Master John Craig, Master Paul Frazer, Master George Munroe, Master William Watfone, Master John Keith, and Master William Stirling, and appointed them to exhibite the said instructions after noon to the Conference. C.]

[The tenor of the Articles propounded for the Kings Majestie. C. & B.]

1. If any contraverfie be concerning the Bishop of Sanct Androes, That it be reasonit in his Majesties presence.

2. That the Bishop of Aberdein be not intrest in his jurisdiction and living, bot the samein to be exercit be himselfe, because the alledgit slander, quherby he was damnified of befor, is sufficiently tryit and removeit.

3. Concerning James Gibsone and Mr John Couper, That they ac-



knowledge and confesse thair publick offences and flanders aganis his Majestie, and satisfie therfor as he shall think good, or vtherwayes be deprivit from all functioun in the Kirk.

4. Concerning Mr Robert Montgomerie, That he be receivit, without farther ceremonie, to the fellowship and favour of the Kirk.

5. Concerning the Laird of Fintries excommunicatione, quhill was somequhat extraordinar, To be declarit null.

[The Generall Assembly of the Kirk giveth their full power an commission to their loved brethren underwritten, that is to say, Johne Erskin of Dunne, Mrs Robert Pont, Andro Melvill, David Lindsay, Thomas Buchanan, Andro Hay, Robert Bruce, Johne Robertfone, Alexander Rawfone, Robert Grahame, Patrick Galloway, David Fergusone, Nicoll Dalgleish, Johne Porterfield, James Anderfoun, Johne Duncanfone, Adame Johnstoune, Walter Balcanquell, Andro Clayhills, and Johne Brand, Ministers of Christs Evangell, or any threttine of them, with all humility, due submission and reverence, to present to the Kings Majesty and Lords of Articles of his Hienes Parliament, such articles, heads, and humble petitions given to them be the said Assembly, tending to the advancement of Christs true religion, and establishing of good discipline within the Kirk of this realme; and, with all earnest diligence, care and travell, make supplicatione and right humble suite, that the same may be granted, past in acts and laws, and be established and sett down by his Majesty and Noble Estates of his Parliament; and therupon, if need shall be, to treat, conferre and reason, and upon such other matters and heads as shall be propounded on his Majestys behalfe; and further, to give answer to his Majestys five Articles propounded to the Assembly, and to resolve and proceed thereanent according to the instructions given to them; and to the effect that the said brethren may be the readier and more resolute, that they convene at Edinburgh the tenth day of July nixt; and what shall be proceeded or done concerning the said commission in all points, to report again to the nixt Generall Assembly of the brethren: firme and stable holding and for to hold what their said brethren in the premisses lawfully leid to be done. Given in the said Generall Assembly of the Kirk, day, year, and place foresaid. C. & B.]



[The tenor of the] Instruētious to the Commissioners appointit to waite on the Parliament.

1. As concerning the Kings Articles : In the first two, Let the judgement of the Assemblie be followit and notified to his Majestie.

As to the third, They fall travell by all good means possible, to mease his Majestie in this matter and bring it in oblivion ; and, sailgieing thereof, in case they fall find any good assured hope that the Kirks Articles salbe weil lookit vpon, and grantit to passe in Parliament, they fall preafe to bring the matter to such a mids as may best aggrie with the honour of the Ministrie, satisfieing the offence of the godlie, and conscience of the brether themselves, against quhom his Majestie hes takin offence, as may be that in speціаль quhilk his Hienes Commissioners fend in wryte to ane of the said brether ; vtherwayes if they be urgeit to the Article as it stands, they fall leave the matter haill, and frie to be tryed and judgeit be the Generall Assemblie.

As to the fourth, They fall dispense with Mr Robert Montgomerie in some ceremonies vsed in repentance, in case they find his Majestie willing to remitt somequhat of the rigour of his Majesties satisfactioun cravit of the twa brethren, be quhom he finds his Hienes offendit.

As to the fyft, concerning the Laird of Fintrie, They fall shew his Majestie that the Kirk hes appointit certaine of brethren to sic quhat effect the dealing of them that was appointit in the last Assemblie hes takin with him, [and to travell further be all good means with him] to bring him by repentance to the bosome of the [true] Kirk, quherby that sentence may be in verie deid annullit.

They fall admitt nothing hurtfull nor prejudiciall to the discipline of the Kirk, as it is concludit according to the Word of God in the Generall Assemblie [of the Kirk] preceeding the 84 geir of God, bot preceissie seik the same to be ratified and allowit, if possible it may be.

And finallie, In all let God be feared, and a good conscience keiped, in procureing the weil of the Kirk, and taking away all impediments contrair therto.

[Touching the Commissioners of Countries : It is concluded their com-

missions shall continue from Assembly to Assembly ; and that the brethren appointed to wait on the Parliament supplicat his Majesty, that the Commissioners appointed by them in their last Assembly may be continued yet, seeing there is no fault found with them for the present. C.]

It was vottit and concluded, that nane false admittit to any Personage or Vickarrage, quho fall not be qualified to teach and preach the Word.

[An article to be conceived and given in with the rest of the articles, that an act may be concluded in Parliament, That whereas beneficed men are called to hear them deprived before the Judges ecclesiastical deputed thereto, that their living during the time of the dependance of the proceſſe, in caſe they be deprived, may be taken up and applyed to the uſe of the Kirk.

The Assembly answered to Mr John Coupers demand if they found any fault in him wherefore his mouth ſhould be cloſed, That they found no fault with him. Maſter John proteſted, that for as much as that matter was committed to certain Commiſſioners, that if they decreed any thing to his prejudice, he be not obliged thereto, unleſſe they all agree in una voce. C.]

The next Aſſembly [is appointed to convene] at Edinburgh, the firſt Tueſday of Julij.

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A. D. M.D.LXXXVII.

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[The Generall Affemblic conveened by the Kings call,] at Edinburgh, in the New Kirk, the vj day of Feberwar 1587.

Exhortatioun made be Mr Andro Melvill, [Principall of the New Colledge of Sanct Androes, Moderator of the last Affemblic.] Leits, Mrs Thomas Buchannan, Peter Blackburne, Patrick Galloway, Robert Bruce, and Nicoll Dalgleish: The said Mr Robert was cholin Moderatour hac vice.

[For the readier expeditioun of matters to be treated,] the hail Kirk hes defyrit the Kings Majefties Commiffioners, the Mr of Lindelāy, my Lord Vchiltrie, the Laird of Lochlevin, the Conftable of Dundee, the Tutor of Pitcurre, the Laids of Killuthie, Caprintoun, Qubittinghame, [Carnell,] Mr Johne Lindfay, Senatour of the Colledge of Juftice, Johne Johnftoun, Commiffioner of Edinburgh, Alexander Scrymgeour, Commiffioner of Dundie, William Mengies, Mrs Robert Pont, David Lindfay, Andro Melvill, Thomas Buchannan, Peter Blackburne, William Chryftefone, to concurre with the Moderatour in advifeing of fpeciall matters to be [reaſoned and] concludit [in the Affemblic, at exterordinary hours.]

Forſameikle as this Affemblic being extraordinarie conveinit for the great dangers appearing to the Evangell within this country, quhilk is in a particular dilatit be the Moderatour, it was proponit in a deliberatioun,

Quhat fould be the readieft way to quench the prefent fyre of Papiftrie kindlit throughout all the haill countrey : And becaufe the propofitioun was of great weight, the Affembly requyrit the Barronis and Gentlemen on thair part, the Commiffioners of Burrowis on the 2 pairt, and the Miniftrie on the 3 pairt, to conveine themfelves apart [at four hours,] advife and propone thair advyce to the Moderatour and his Affeffours the morne, fuch mides as they find for them ; and, for furtherance heirof, ordaines Mrs Peeter Blackburne and Hew Fullertoun to give informatioun of the evidents therof in thair countreyes ; inioyning farther to the haill brether and Commiffioners of the countreyes to give in thair delatiouns of Papiftrie and Jefuites the morne in wryt to the Affembly.

Sellio 3<sup>a</sup>.

[Touching the head propounded yesternight concerning a prefent remedy for purging this land of Papifts and Idolaters :] The advyce of the Noblemen and Barronis was prefentit [in writt] to the Affembly, red, and be commoun confent [of the whole Affembly] thought [very] meit [and expedient ;] alwayes firft, it feimed good that [a number of the Noblemen, Barrons and Minifters fhould be directed to his Majefty, to witt,] Archibald Erle of Angus, my Lords Marfchell, Marre, Ochilttrie, and Sinklair, the Laids of Coldinknowis, Lochlevin, the Tutour of Pitcurre, the Conftable of Dundie, Alexander Scrymgeour, Johne Adamfone, Mrs David Lindefay, Patrick Galloway, David Fergusone, Robert Pont, and Peeter Blackburne, to conferre [and communicat] with his Majefty vpon the fame heid [at fuch an hour] as they falbe advertifed from the Chancellor.

[Followeth the tenour of the faid advyce. C.]

The advyce of the Noblemen, Barrones, and Gentlemen, anent [the head propounded in the Affembly for] the purging of the land of Idolatrie [and feditious entyfers.]

1. That the Lawes of the countrey without delay be execute againft all Jefuites, Seminarie Priefts, Idolaters, and maintainers therof ; and for that effect every man, afweill of the Gentlemen as of the Miniftrie heir affemblyt, fall, as they will anfuer to God, and as they tender his glorie and the

weill of his Kirk, give vp presentlie in catalogue to the Moderatour and Clerk, the names of such as they [know and] esteime to be Jesuites and Seminarie Priests, traffiquers aganis religioun, receipters, intertainers or maintainers of such persons: The quhilk names falbe givin [in] to Sir Robert Melvill, Thesaurer, quho hes promist within 48 houres thereafter to dispatch summonds vpon them all.

2. Seeing the danger created be the saids persons is imminent, and the [ordenar and] formall executioun of the said lawis will requyre a large proces of tyme, his Majestie and Counsell to be earnestlie sollicit and vrged to provyde incontinent some extraordinar remedy for the extraordinary danger, and execute the laws without delay vpon the chiefest of the Jesuites and thair maintainers, doing as if treason were intendit againt his [Majesties] awin person and crowne.

3. If the Assemblie sall think expedient, the saids Noblemen, Barronis and Gentlemen presentlie assemblit, sall gang together to his Majestie, and regrate the cause of the Kirk and commoun weill to his Hienes, and the danger quherin the libertie of this realme, thair lifes and consciences stands into, be the craft of Jesuites and traffiquers, quho hes seducit and stirred vp enemies both intestine and forraine, to bereave them of the same; and offer themselves, thair lyves, lands, and friends, to be employit at his Majesties pleasure, for preventing thair most dangerous attempts and bloodie devyses.

#### Sessio 4<sup>a</sup>.

[Mr Patrick Adamson was cited by direction of the Synod of Fife to compare before the Generall Assembly the second day thereof, with continuation of dayes, to answer for giving collation of the Vicarage of Leuchars to Master Andrew Allan, without consent of the Presbytrie of Sanct Andrews where the benefice lyeth, and without consent of his Assessors, expressly against the act made be his Majesty, and Generall Assembly. He was called on in the fourth Session, but compared not.]

Sessio 5<sup>a</sup>.

Touching the diligence of the Ministry in trying the affection of the Noblemen, Barrons and Gentlemen to the religion : Because a part hereof have been neglected, and shortness of time and ignorance pretexted in excuse, the Assembly exhorteth the brethren which have been remisse in doing their dutie herein, without any delay to supplie their negligence and travells in all parts, where the same hath been committed, as they will answer to their dutie ; and ordaineth Master Nicoll Dalgleish and Master Adam Johnstone to passe to the Lord Hume now being in this toune, and precisely urge an answer in the said matter.

It was ordained that an article should be given in to the King, bearing regrave for the decay of certane kirks which are ruinous, and, without hastie repare, are not able to be remedied, namely Glasgow, Dumfermling, Dumblain ; and that his Majestie should be desired to interpone his power to cause the Earle of Huntlie, the Abbot of Dumfermling, to repare Dumfermling ; the Bischop of Dumblane, Dumblane ; and for repairing of Glasgow, to take order that the lead fallen or like to fall may be employed to the felating and repairing thereof, which would be a great parte of the charges. C.]

All Ministers within their awin bounds were exhortit to travell earnestly with their parochiners, and inform them of the necessitie of the exyled brether in France for the religioun, that they may be supportit.

Ordaines Mrs Robert Rollock, Andro Melvill, Thomas Buchannan, and Patrick Sharp, to visite the reply made be Mr Patrick Blackburne to [the booke of the Jesuite] Mr James Gordoun.

Sessio 6<sup>a</sup>.

The Lords directit to the Kings Majestie reportit they had conferrit [at length with his Grace upon some generall heads, as namely,] concerning Papists, planting of kirks, discipline, and the poore, [and] receivit [very] good [and comfortable] answers, as, namely, that there was more miste of execution aganis Papists nor advyseing ; and that his Hienes was glad of the solemnitie [and frequency] of the Assemblie, and before the dissolving ther-

of defyrit that they should resort to him, quher they sould heir farther of [his] good will : Set becaufe ther was many particulars quhilk [were comprehended] vnder [the said] generalls, his Grace had appointit faxe of his Counsell, with so many as the Kirk sould appoint on the vther syde, to conferre the morne. [To the which effect] the Assemblie nominat for the part of the Kirk, the Lairds of Wedderburne, Killuthie, Capringtoun, Ormestoun, Quhittinghame, Johne Johnstoun, Alexander Scrymgeour, William Mengies, Oliver Peibles, Mrs Robert Pont, David Lindsay, Andro Melvill, Peter Blackburne.

[The Assemblie thinketh meet, considering the present necessity of the Ministrie, that his Majesty may be intreated to grant to the act devised by the Lords of the Exchequer, of the third in favours of planting of the Kirks, and to establish the same by act of Secret Counsell ; and that without prejudice of any further benefite or right given and granted to them be acts of Parliament made in their favours.

#### Sessio 7<sup>a</sup>.

Mr Patrick Adamfone was ordained to be present at the next Session.

#### Sessio 8<sup>a</sup>.

Ane excuse sent from Mr Patrick Adamfone was presented to the Moderator, bearing in effect that, if he were present, he would onely seek a copie of his delation, and therefore desired a copy, that the proceffe be not led verbalie. C.]

The Assemblie directit the Minister of Dyfert to charge Mr Patrick Adamfone to compeir personallie befor them, and to crave his awin petition.

[He compeared, and answered, The summonds were negative, whereof he would prove the affirmative, to witt, that he gave collation with advice of the most parte of his Assessors, being exeemed by speciall exception from the Presbytrie, in so farr as Mr James and Mr Robert Wilkie, and Mr James Martine gave special consent thereto, and produced an instrument, dated the 20 of Aprile 1587, to that effect. Mr Robert denied be-



fore the Affembly, that ever he gave consent. Mr James Martine denyed he saw instruments taken thereupon. He alledged likewise, that he required John Ure and others of his Affessors by write to come to him for that purpose, but that he refused. John Ure granted he was written for, but went not to him, nor wroth not, because he carried no favour to the Bishop, and heard evill bruts of Mr Andrew. He alledged likewise, that he had required Mr Adam Mitchel and other of his Affessors present, but he refused to come, and refused to give his assent; and therefore he alledged that he had the consent of three of his Affessors, and that John Ure his taciturnity was to be taken for a consent; and therefore howbeit Mr Adam Mitchell refused, yet he had proceeded to the collation with the advice and consent of the most parte of his Affessors, being seven in number: But the Affembly findeth that the silence of John Ure induceth no consent, and that he had contraveened the act in giving the collation, without the advice and consent of the most parte of his Affessors. Mr Patrick protested, in respect he had required his Affessors, as he alledged, at divers dayes, they not compearing, he was not holden to delay the collation, but might have proceeded as he did. The Affembly ordained the officer of the Kirk to warne them to compear before them the next day after noon.

Touching the conference of the brethren appointed by the Affembly with the Kings Commiffioners after noon yester day: Report being made by Mr David Lindsay in name of the rest, that they had conferred upon two heads, viz. planting of Kirks, and visitation to be had of the dangerous partes of the countrey, where Papistrey and corruption hath chiefly made the brufche.

And as concerning the planting of Kirks and provision, they had found it good that the Laird of Colluthie, Master John Lindsay, the Clerk of Register, and Master John Nicolson, with such as the Affembly shall nominate, should sit down and examine what the summe of the whole thrids will amount unto in victuall and money; what is given out to the Kirk, what in penfions, and what to the Kings house; that it may be considered how the present necessity of the Kirk may be helped without the prejudice of the full patrimony thereof; and to that effect desired the Affembly to nominate for their parte to convene as the Chancellour should give advertisement: To the which the Affembly nominated Master David Lindsay, Mr Robert Pont, Mr Thomas Buchanan.

And sicklyke it was thought good, the Assembly should nominate certaine persons of the Ministrie to visit the dangerous parts of the countrey, wherunto the Kings Grace would interpone his authority, and joyne certaine to concurre with them : For the which effect the Assembly hath nominated for the North, Mr Robert Pont, Mr Peter Bleckburne, Mr Adam Johnstone ; Mr Nicol Dagleish, Mr David Lindlāy, Mr Robert Hepburne, for the South : The speciall heads of their commission, and the tyme of using thereof, to be penned by the said Mr Robert and Mr David. C.]

Anent the supplicatioun of Mr Robert Montgomerie : The Kirk having takin consideration of the proces led against him, and of the circumstances of that matter, [finds] he may be admittit Passour over a flock quher he hes not bein slanderous, provyding that he be found qualified in lyfe and doctrine.

[The Lord Privie Seal directed from the King, declared that his Hienes was informed, that James Gibson, Minister of Pencaitland, had promised to the brethren upon the conference, to satisfie the King for some words uttered in his sermon, and willed the Assembly to enquire at the said brethren, what he had promised, and to see if the same had been performed ; if not, that satisfaction be made to his Highness honour.

James Gibson being called, confessed he had promised to the brethren that which he had not performed ; and that he was induced to the said promise through infirmitie, meaning the fear of danger to the Kirk in generall, and the destruction of his own flock in particular ; but that he did know or find nothing in his own conscience, wherein he had offended his Majesty in any thing he spake : The Assemblie ordained him to be present at the privie conference after noon. C.]

### Sessio 9<sup>a</sup>.

The Chancellor being present, desyrit [the breither] to wey if James Gibsone had not offendit the Kings Majestie, not only that he had vttered in his sermoun thir words following aganis the Kings Majestie, viz. That he weined that [before] James Stewart and Lady Elisabeth and William Stewart had bein the persecuters of the Kirk ; bot now he finds [plain] be experience, that the King himselfe hes bein the persecuter : As Jeroboam, for erecting of Idolatrie and permitting thereof, was the last of his pol-

terity, fo he fearit if he continuit, he fould conclude his race : But alfo in that, he acknowledging to the brethren of the Conference that he had offendit his Grace, he [had] promifed to make fatiffaetioun, and had failed and brokin promife : For after calling of the laid James, quho compeirit not, my Lord Chancellour defyrit the Moderatour [to put] to the vote of the Affemblie, If the words above fpecified were offensive : Quho, in refpect that none offerit any reafon againft the fame, proponit the famein in termes to them, quho for the moft part vottit affirmativé, the fame words to be offensive.

#### Sellio 10<sup>a</sup>.

Anent the forme of repentance preferyvit for adulterie, homicide, and vther crymes, quherof the fatiffaetioun, of befor, be the aëts of the Kirk, was made befor the Synodall Affemblie : Seeing, in many parts of the countrey, the penitents, at fuch tymes of the 3eir quhen Synodall Affemblies are haldin, are in lafull traffiqueing furth of the countrey, It is found expedient in tyme comeing, quher Prefbytries are weill ordoured and eftablifhed be the judgement of the Synodall Affemblies, [that] the laids penitents fall performe vniverfallie through the realme, thair fatiffaetioun befor the laids Prefbytries, in fuch forme as they were accuftomit befor the Synodalls ; vtherwayes, quher the Prefbytries are not 3et well [ordered or] conftitute be the judgement of thair Synodall Affemblies, the accuftomit ordour to be keipit.

[My Lord Privie Seal defired Mr John Couper to be removed from Edinburgh to Glafgow. Mr Gualter Balcalquall alledged he was bound be ane aët of the Seffion of the Kirk of Edinburgh to them, as their ordenar Minifter. Mr Gualter was ordained to produce the aët after noon. C.]

#### Sellio 11<sup>a</sup>.

Forfameikle as befor noone, James Gibfone being prefent, was fum-mound be the voyce of the Moderatour to be prefent after noone, to heir the matter concerning him reafoned, and it was teffified be diverfe of the brether, quho fate near him, [and] heard, he promifed to compeir ; and

get being oft tymes callit and compeirit not : The Assemblie finds him contumax for not compeiring, nor fending any reasonable excuse for his absence.

[Mr Patrick Adamson was delated for giving collation to Mr Patrick Thomson of the Personage of Flisk without the advice of his Assessors ; and of the Vicarge of \_\_\_\_\_ to a child of eleven years old, it being a benefice of cure : He being present answered, That both the one and the other were done before the act of the Conference : and that the Bishops of Sanct Andrews are bound to the Earle of Rothes to doe the first by an old indenture.

#### Sessio 12<sup>a</sup>.

The Assembly judged Mr Patrick Adamson, in respect of transgressing the act of the Conference, to be worthie of deprivation ; but before any sentence be pronounced, the Assembly willeth their brethren appointed to present their articles to the King, to informe his Majesty of their proceedings against him.

[Anent Mr John Couper to be removed from Edinburgh to Glasgow :] The matter being reasoned, and the reasons of the Counsell of the toun being heard, the Assembly remitted the acceptatione of the Ministry of Glasgow to his owne choise, and ordained him to resolve.

#### Sessio 13<sup>a</sup>.

[The Chancellor declared, that for the Kings Commissioners they had considered the articles penned by the brethren for planting of Kirks, and thought a great parte thereof should be granted ; but desired the Assembly to determine in the action concerning James Gibson. He alledged the Assembly had proceeded thus farre, That the words produced in write were already found by the Assembly offensive : Nixt, That he had confessed the uttering of the same, and promised satisfaction and repentance, but being cited to be present himself before the Assembly, was declared contumax ; so repleth, said he, to consider of the penalties deserved by him. But because some of the brethren opposed that they heard not any such

confession, he produced Mr David Lindsay, Mr Peter Bleckburne, my Lord Privie Seal, Sir Robert Melvill, Mr Nicoll Dagleish, witnesses. They being all sworne deponed in open Assembly, as followeth. The said Mr David Lindsay deponed, That in the conference and reasoning had with the said James in the Galerie, at command of the Assembly, the said James confessed the words contained in the writting: Sir Robert Melvill deponeth, That in the Galerie he demanded at the said James, if he spake the words contained in the writing, who answered, He could not deny the same: Mr Peter Bleckburne, my Lord Blantyre confirmeth to Mr David: Mr Nicoll Dagleish deponeth, That at the time of the conference when he was present, that James Gibson alledged that he spake this, That Captain James and Lady Elisabeth were not the onely persecutors, but the King also; but denyeth that he spake thir words, That the King himselfe, or He Himself, was the persecutor; and the last words concerning Jeroboam, he declared he spake be a commination. Upon the depositions followed this sentence of suspension following:

Touching the action concerning James Gibson: Seing it is already found be the most part of the votes of the Assembly, that the words following are offensive, to witt, I wont before that James Steuart and Lady Elisabeth and William Steuart had been the persecutors of the Kirk; but now I find plainlie be experience, that the King himselfe hath been the persecutor; as Jeroboam, for erecting of Idolatrie and permitting thereof, was the last of his posterity, so I fear if he continue, that he shall conclude his race; and that the said James being cited by the voice of the Moderator to be present, to have answered in the said matter, for not compearance is already declared contumax; and that it hath been sufficiently veresfyed before the said Assembly by depolitions of diverse of the brethren, who heard the said James his confession of speaking thereof: Therefore, C.] The Assembly present advyseing with the said matter, for the most part vottit and adjudgit the said James to be suspendit fra his office and function of the Ministrie, during the will of the Kirk.

Sellio 14<sup>a</sup>.

[The Articles penned by Mr Robert Pont and Mr James Melvill, being presented to the Assembly, read, and publickly allowed, were thought meet

to be presented to his Grace by Mr Robert Pont, and Mr Andrew Melvill, Mr Patrick Galloway, Mr Peter Bleckburne, Mr David Lindfay.

The tenour of the Articles, with the Greifs, to be presented to the Kings Majesty, followeth. C.]

The humble sute of the Kirk, presentlie conveyit at the Assemblie, to the Kings Majestie.

Sir, Your Majestie remembereth the cause of conveying this Assemblie at your Hienes command, quhilk consistis principallie in two points; ane, for repressing of Jesuites and vther Papists quho are entrit in this realme, and practises with thair complices, [by all means] to subvert the sinceritie of the religioun presentlie professit within the same; another, to provyde such meanes, that, in tyme comeing, such dangerous practises may be avoydit and eschewit.

[As to the former two heads, to give our counsell and advice to your Majesty, as it was devised and appointed we should doe at this Assemblie, and for the which cause, namelie, the samen was approved: This is the advice which we think most convenient, and these things, with all humility, we sute to be performed. C.]

As to the first, We humbly crave, 1. That some of the principall Jesuites and vthers fall instantlie be takin ordour with, to give example [and terrour] to the rest, viz. Mr James Gordoun and Williame Creichtoun, quho are instantlie in this towne, that they may be incontinent callit befor your Hienes and Counsell, and ther to be declairit [to them] how thair lyves are in your Majesties hand, for contraveining of your Hienes lawes, and get if your Graces clemencie dois spare [them;] charging them in the meane tyme to remaine in ward within the towne of Edenburgh vnto the tyme of the passing away of the first ships that fall depart, quherin they salbe entrit and send away; and that it be denuncit [unto them,] that in cace they retorne at any tyme [hereafter,] within this realme, without your Hienes speciall licence, the law salbe execute against them to death, without any farther proces.

[Nixt, That the Lairds of Fintrie,] Glenbervie, younger, and vthers excommunicat Papists, [as] falbe gevin vp in bill, [falbe] callit befor your Hienes and Counsell, and such things laid to thair charge as they are culpable of, according to the laws and acts of Parliament, that the penaltie

therof may be execut vpon them : And lick as are apostates from the true religioun, quibilk once they imbraceit, may be callit in lyke manner and punischt.

Item, That summonds be presentlie direct aganis all receipters of [Papists,] Jesuites, Seminarie Priests, and traffiquers aganis true religioun ; and lykewayes to sumound witnesse, be quhois depositions they may be convict of the crymes forsaids ; and in speciall, that such are of the Estate, and are culpable of apostasie or papistrie, fall in no wayes be sufferit, [but called and convict thereof, and if they be convict of thir crimes, shall on no way be pardoned,] vntill the tyme they have satisfied asweill the Kirk as his Majestie and Estate : And, generally, that all Noblemen quhatsumer, without exception, knowin maintainers of Papists, or interpryseing any thing against the true religioun, fall either be put presentlie in ward, or exylit the countrey.

[As concerning the second head,] Anent the planting of Kirks : This is our advyce vnto your Hienes, That Commissioners be direct from your Majestie and this Generall Assemblie to the north and south parts of this countrey, [in speciall to the effect,] to visite [the Kirks,] and plant Ministers quher neid requyres repressing of Papistrie [which hath overflowed all these parts ; the saids Commissioners] having commilloun and power asweill of your Majestie as of the Kirk, to call befor them all that are suspect of perverting true religioun or revolting therfra, [such at the least as they may take order with ;] and to doe all vther things necessar for reformatioun of these parts, [and reducing them to good order, providing means how the doctrine and discipline may be well established to remain hereafter where they shall passe ; and an ample commission is to be given to them for this effect : for the which cause we have nominated in this Assembly certane brethren of the Ministrie, leaving the nomination of others to be joynd with them to your Majestie and Counsell.] And because the said worke cannot passe forward, vnelesse ther be provision made asweill for Commissioners of the Kirk, as Ministers to be plantit in necessar places, that certain be deput from the Counsell, and certaine of the Ministrie, [at least to the number of three on either side,] to conveine with all good expeditioun, and light the rolls of the thrids, that it may be considerit quhat may be spared to that effect ; [and] quher the saids thrids hes bein abused in tymes past, to sie how the samein may be reformat ; and that the act made for discharging of peniouns out of the thrids and superplus, and pro-



clamatioun past theron, may take full force [and effect, and not be eluded nor frustrated by any person, the which except it be, the said planting cannot take effect. C.]

Lykewayes giving power to the said Commissioners [to be sent into the countreys,] to reforme Collèdges and Schooles; and quher the rent thereof is abused, to put convenient remedie therto; and quher it may not serve, to see how it may be helpt, and that sufficient men be placit in the rowme of idle bellies, [that consume the patrimonie thereof, and doe not their dutie therefore;] and [with power, in lyke manner,] to depole from the office of the Ministrie, and from their benefices, all such as false found unworthie or slanderous in life and doctrine, as weil Bishopes as others.

[Moreover,] That it wald please your Majestie to take some solid ordour, [how] that the laws made for the punishment of vices [which overgoe the whole land,] and Commissioners appointit theranent may take some good effect; [and executione of the heavy plagues of God, which for that cause lay upon this land, may be removed, and greater threatned prevented. C.]

And last, That ordour be takin with the poore, that [in such multitudes] wanders vp and downe the countrey without law or religioun.

[Certaine] Greives of the Kirk [of Scotland,] assembled in Edinburgh, givin in to his Majestie, [the 20 of February 1587.]

[First, and above all other things, It is ane exceeding great greife to all such as have any spunk of the love of God and his Kirk, to see Jesuites, Seminarie Priests, and other teachers of Papistrie and errour, so long to be sufferit to pollute this land with idolatrie, corrupt and seduce the people, and spread abroad their pufyionable doctrine; to see practisers and traffiquers aganis the true religioun, and the present libertie of this realme, to be recept, mantainit and entertained, to bring to pass their most dangerous devices and complotis; and receipters, intertainers, and mantainers, and professed favourers of both the ane and the vther so to abound every-where, and not only to be tolerat impuné, without execution of the laws of the countrey made against such persons, bot also to have special credit, favour and furtherance, at Court, in Session, to Burgh, in land, throughout all the realme, in all thair affaires; and, on the other parte, to behold the true word of God contemptuoullie dyspyt be the great multitude; his holie sacraments horriblie profained be privat, corrupt, and unlawfull per-

fons; the discipline of the Kirk nothing sett by; the persons of the Ministers and office-bearers within the same, invaded, stricken, minassed, and shamefullie abused, themselves beggeirit, and thair families shamefully hungrit, and get, notwithstanding, neither the laws made aganis idolatrie and vyce putt to execution, neither sufficient laws made for the libertie and wellfair of the Kirk, nor such as are made caused to take good effect for removing of the said fearful enormities, like as be the particulars after following, lamentable complained by the severall kirks in every parte of this realme, is more manifest. C. & B.]

[In the South] about Dumfreis.

Mr Johne Durie, Jesuite, [corrupting,] seduceing and practifeing [to and fro,] vnder the name of Mr William Leing, quho, with his complices, had mefs within [the toun of] Dumfries, before Zoole and Pasche last was. The Lord Herries, the Laird of Kilquhonnatie, the Gudman of Drumrusch, Mr Homer Maxwell, Commiffar, Johne M'gie, Commiffar Clark, Johne Bruce, merchand, John Rig, Notar, Paul Thomesone, my Lady Herreis, elder and zonger, my Lady Mortun, the Lady Tweddell, papists, apostats, mantainers [and entertainers] and professed favourers of Jesuites. [Item there is a certane woman called] Catherine Herlinges [that] does no less hurt in Dumfreis nor the Jesuites. No resorting to the hearing of the Word [there;] no discipline; superstitious dayes keipit be plaine command, and controlling of the deacons of the crafts; all superstitious ryotounes at Guile and Pasche; na kirks plantit sufficientlie.

In the North.

Mrs James Gordoun, Edmund Hay, Alexander Macquhirry, Johne Scot, Alexander Meldrum, Arthur Panton, Jesuites, [unceffantly corrupting,] makes residence cheiflie in Murray, [Elly, Boyne,] and Strabogie, bot seduces every quher in Buchan, Garioch, Mar, Aberdein. They repaire commonly vnto Airth, Laird of Leslies [house,] elder, Andro Hervies [house] and his Mother, Andro Leslie of the Peill, excommunicat for papistrie, the Chancellours [house] of Auld Aberdein, and to Young Glen-

berrie, excommunicat, quher they have thair houfe mefs at thair pleafure ; and thair publick mefs erec'tit at the Laird of Lellies chappell, with two idoles above the altar ; and ther hes maried two commoun adulterous harlots, Andro Praetor and Jenat Wilfoun, quho would nevir give obedience to the Kirk.

[Item, These Jesuits conven in the Town of Old Aberdeen, and have their meeting with Papists of the New and Old Towne, diverting many, and confirming their disciples, dispersing their books, and giving of their Agnus Dei: And as to the recepters, they are so many that few or no honest men are in the whole countrey, that either for fear or favour have not receit the Jesuits, professed papists, as, namely, the Bishop of Rossie challenging the Personage of \_\_\_\_\_ where Mr Gualter Richardson, a Minister Person is lawfully provided, is repossessed to dispossesse the Minister.

Sicklyke Mr Patrick Mortoun, an excommunicated Preilt in  
challenging the Perfonage of \_\_\_\_\_ to difpoffefs Mr George Paterfon,  
Minifter there.

Item, The whole common kirks, as Fordice, and the kirks annexed thereto, the kirks of Rathin, Logilichan, and Killdrynne, Cabroch, Logymar, are given to the Earle of Huntlie, to the disposing of Mr Gilbert Gordon, Mr Duncan Davidfone, Mr James Cheyn, and Mr Thomas Melvill, and the whole readers of the saids kirks. C.]

Item, [There is no visitation within the faids bounds by reafon] Mr Peeter Blackburne is compellit to delift from visitatioun, be diverfe charges of the Kings letters purchaft be the Bifhop of Aberdein.

[The kirks of Deir are all frustrated of their stipends, and the Ministers thereof not according to their provision made in my Lord Marshalls infestment.

The cheif and principall kirks, Ellon, Fyfe, and Tarvelffe, Locky, Darnock, Kyntore, Innerug, destitute altogither of Pastors and provision, which is a speciall common greiffe through all the country. C.]

IN ROSS.

Mr Johne Leslie restorit to the Bischoprick of Ross, in the last Parliament.

[Item, Mr Alexander Lellie, Perfon of Kinken in Ros, newlie provydit, a professed papift, and excommunicat for the fame, by the Presbitrie of Aberdein. C. & B.]

Item, Sir Donald Simfone, [papift,] profaner of [the facrament of] baptifme, and abuser of marriage.

[Item, Diverfe papifts, and contemners of the facraments, whose names follow, Alexander Rose of Ballingoun, Alexander Chifholme of Comer, Alexander Ferme, and Finlay Ferme his fon, of Pittellan.

And, finally, there is a great coldnefs amongft all, both Gentlemen and Commons, entered in, fince the Jefuits had libertie to pafs through the countrey, in the time of the Earle of Huntleys Lieutenantrie.

The kirks are every where demolifhed and ruinous, which is a common greife throu many parts of the land. C.]

#### CATHNES.

The Erle of Sutherland, with his Ladie and freinds, Papifts, vehementlie fufpectit laitle to have had mefs, and contemners of the Word and Sacraments.

[Item, Very few Minifters there, and all deftitute of provifione. C.]

#### MERNES AND ANGUS.

William Douglas, fonne to the Laird of Glenbervie, hes caufed vnbefett at fundrie tymes, [two of the Miniſtrie, to wit,] Mrs George Glaidſtanes and Andro Mylne, [and that] with armed men at thair houſe, and lying in waite for them about thair houſe, and were not the releife of God and good men, had takin thair lyes.

[ANGUS. C.]

[Papifts and their mantainers] in the weſt part of Angus: Patrick Lord Gray under proces of excommunicatioun, Mr Thomas Gray excommunicat, Sir Johne Fyfe, Preift in Langforgane, David Grahame of Fentrie excom-

municat, James Grahame, [younger,] his brother a Papist, Thomas Abercrumie of Midle Gourdie, having subscryvit, communicats not, bot continues a common reasoner aganis the religioun, a defender of Papistrie, [and] receiver of Jesuites, [Papists, and Seminarie Preists ;] Patrick Lindefay, brother to the Laird of Vaine, a reasoner against the trueth in every place ; Mr Andro Clark, servant to the Lord Hoome, [fugitive in Angus, traffiquing in fundrie places, to undermine the Gospell, avouing himself a Papist, and blasphemously railing against the Word and Ministers thereof. C.] Item, Mr George Hetlie, Minister at Abirny, cruellie invalidit be Thomas Boyd, and in reding of them ane man flaine.

## FYFFE.

No resorting to the Kirk in many places. The kirks [are] ruinous and delitute of Pastours and provioun in many places. There is superstitious keeping of Yoole, Pasche, &c.

[They complain that] the Lords of Sessiou keips not thair ordinar dayes, Wednesday and Fryday, for calling of the Ministers actiouns.

Item, Mr Thomas Dowglas, Minister of Logie, was cruellie invalidit be Johne Forret, brother to the Laird of Forret, [as he came from his kirk on Sunday, and his blood shed, and no remedy put thereto. C.]

[Item, The Abbacie of Dumfermling givin to the Erle of Huntlie, quhervnto he resorting bringeth with him flocks of Papists, Jesuits, and excommunicated Papists, as Mr Thomas Gordon, Mr William Crichtoune, the Laird of Fentrie. C. & B.]

Item, The Bischop of Sanct Androes continues in giving of collatioun of benefices to unworthie persons, [by the consent of his Assessors,] viz. Mr William Thomfone, Person of Flish, [and] Mr Andro Allan, Vicar of Leuchars.

[Item, The said Bischop is most injurious to Mr David Spens, withholding from him ane haill zeirs stipend, which he was assigned to pay him ; and notwithstanding he hes bein at the horne, yet he can get no ordour nor payment of him.

## LAUTHIAN, [PRESBYTRIE OF EDENBURGH.]

Sundrie Papists and [Seminarie] Preists, confessing themselves to have said mefs and preachit papistrie in this land, being apprehendit be the Magistrats of Edinburgh and put in ward, are sett at libertie without any punishment or satisfactioun of the Kirk, viz. Mrs Alexander M'quhirrie, James Seatoun, Johne Scott, and vthers.

[The Presbytery of Dalkeith complaineth that many of their kirks are destitute of Pastors and provision, unto the which Papists flock and resort; and that fundrie of the Ministrie are bereft of their stipends by annexation, as, namely, Mr Andreu Simpson, whose whole stipend is taken away, and given to the Abbot of Neubottle. C.]

## MERS AND TEVIOTDAILE.

My Lord Home, the Laird of Edmestoun, and vthers principall men in the countrey, corrupt in religioun; and the said Lord letting his awin kirk ly waste, and mantaining Mr Andro Clerk, [a malicious] enemie to the Gospell and Ministers therof: The haill peiple readie to revolt [from the Evangell,] because they lie the Prince careles therof, as they say.

[The sacraments profained be deposed Readers, and some that never bare office in the Kirk, as, namely, Sir Thomas Ker in Old Roxburgh, Sir Thomas Hall in east Teviotdale, and Robert Hepburne there, Archibald Simpstone beside Jedburgh, John Scot there, James Scot called Vicar of Alkirk, Thomas Neulott, Viccar at Kafinden, Thomas Hall in Rouors, Simon Robefone, and some others: Many superstitious pilgrimages and keeping of holy dayes, &c.

Item, Professed Papists, C.] Sir John Bennett excommunicat for papistrie; the Ladie Fernyherst; the Ladie Mynto, quho horriblie [usurpit] the ministratioun of the Supper of the Lord vpon the Pasche day [with her hands,] with bread and water; the Ladie Riddell, [Bartill John in Simprem: The greatest parte of the kirks want Ministers; and the Word altogether vilipended by the Gentlemen of the countrie. C.]

## [PRESBYTRIE OF LANERK.

There is not a Minister resident in the toun of Lanerk, houbeit it be the chief toun of the Shire, because the Minister hath other kirks annexed to him, where he findeth a place of residence, and can find none in the said toun; for the Vicarage of the toun is usurped without collation by Gavin Hamiltoun, servitur to my Lord Chancellour: Therefore the Chancellour would be solicited in this matter, to make his servant leave the said Vicarage to the Minister there, according to the act of Parliament and good Counsell. C.]

## IN STRIVELING.

Walter Buchannan, sonne to the Goodman of Auchinpryor, [and] a Flemis woman his wyfe, [both] indurat Papists, and hes causit a preist latelie to baptize thair bairne; Helen Hay, Mistres of Levingstoun, a malicious Papist; The Sabboth ther is everie quher abused and profained; the kirks ill plantit; scarce 3 hes Ministers. Superstitious ceremonies, pilgrimages to Chrysts well, fasting, [festives,] benfyres, girdles, carrells, and such lyke.

## [OF DUMBLAINE.

The Bishop of Dumblaine restored, and latelie came home, and accompanied with a stranger, French man, or Italian, supposed be many probable appearances, by men of great judgment, to be employed here in some strange turne. His coming hath encouraged all suspected papists, and brought the simple in great doubts, for by his authority he draweth all with him in the old dance. The ministers are hereby despised and troubled in their livings; and the kirks ruined and desolat.



## OF GLASGOW.

Recevers of Jefuits, the Abbot of Pailay, who alfo, fince his laft coming in Scotland, refuseth to fubfcribe and communicat, Archibald Heget, Clerk of Glasgou, Gavin Graham, burgefſ there, and Robert Aldjo, burgefſ in Palley: Theſe that reſort to them are the Laird of Fintrie, Mr Robert Bruce, and Mr Gilbert Broun. The whole Miniſters there diſappointed of their livings by giving the thrids in penſioun, or ſetting them in tacks, and, namelie, Mr John Bell, Miniſter at Calder, be reaſon of the thrid of the Subdeanerie given to Mr John Grahame.

## OF DUMBRITONE.

The Laird of Fintrie hath ſeduced the chief there, and ſtollen away the hearts of the commons, by banqueting att Yuile, continuing three days, enduring which time all Papifticall ceremonies wer uſed. The Ladie Marr intertaineth in the place of Arken an excommunicated preiſt, called Sir Andrew Nelmiſh, whoſe meſſe cloaths were once apprehended, but is ſince ſyne of new well provided therein, and in meſſe books, every where reaſoning and perverting. More, there are great bruits of ſuſpicion of meſſes in many places of the countrey, which have genered in the hearts of the people contempt of the Word and Miniſters, who, when they begin to deall with them with diſcipline, contemptouſlie deſpiſe the ſame, and proudly minaces them, and boaſts them in their faces. There is in Lennox 24 kirks, and not four Miniſters amongſt them all.

## OF AIR.

Perſons refuſing to communicate, pretending frivole feeds. John Lockhart, burgefſ of Air, John Kennedy of Brochloch in Carrick, and Gilbert Kennedy, Monk of Corceragwell, profained the ſacraments, baptize children gotten in fornication and adultrie, and others, in privit houſes and fields. Thomas Kennedy, Tutor of Caſſils, a Papift; Sir John Muir of Kilmarnock, a papift and perverter; the Laird of Ladyland in Cuninghame, latly

come home out of Flanders, an apostate, reasoning against the truth, and blaspheming.

Secondly, It is grievously lamented in all the parts of this realme, that the planting of kirks, and flourishing of religion, is hindered by want of qualified Ministers and Teachers, and laike of sufficient provision for the same; for how can qualified men be found except the youth be trained up, and sufficiently instructed in the knowledge of the Scriptures, and course of theologie in the original languages of the same, wherein the same is written; and in the arts of Grammar, Rhetorick, Physick, and Logick, which are necessary instruments to come to the true meaning and sense of the will of God revealed in his Word: And how shall the youth be so trained up, or qualified men take charges upon them in the Schools and the Ministrie, so long as the patrimony of the Kirk is so rugged from it, and disposed to profane persons that can brook no office in the Kirk, yea to papists and enemies to the same; the rents thereof erected in temporall Lordships; lawfully provided Pastors dispossessed of their livings, and professed papists repossessed in the same. This matter therefore must be remedied, or else religion cannot stand; for the onely way to plant and continue true religion in this countrie, is to repair univerally through this realme all ruinous kirks, big and repair all parish kirks that are demolished and fallen down, and to restore again the patrimony of the kirks to the sustentation of the Ministrie, schools, and poor, which cannot be done without the act of annexatione be retreated or annulled, or, at the least, the thrids reduced to the first integritie according to the old assumption, and no superplus to be made whill the Ministers and schooles in all parts be sufficiently staiked; the acts of repossession, whereby actuall Ministers are dispossessed, be cassed; and persons unqualified and idle bellies be deposed from benefices, and sufficient men placed in their rooms, and a sufficient living be provided for every kirk, with a commodious gleib, and manse for the residence of the Minister thereat: And finalie, that out of the temporall lands, namely, there be livings sufficient founded for Professors and Students of Theologie, within the New Colledge of Sanct Andrews, and Colledge of Edinburgh, so many as may make a convenient Seminary, for the retaining and flourishing of learning and religion within this realme; and this for the present urgent necessity till provision sufficient be made, and Colledges in every part.

Thirdly, The great dissolutnes of life and manners, with the ugly heaps

of all kind of sin lying in every nook and parte of this land, is most heavily regrated and deplored ; for what parte of this land is there that is not with a spaiit overwhelmed, with abusing the blessed name of God, with swearing, perjurie, and lies, with profaning of the Sabbath day with merkats, gluttonie, druknels, fighting, playing, dancing, &c. with rebelling against Magistrats and the laws of the countrey, with blood touching blood, with incest, fornication, adultries, and sacriledge, theft and oppression, with false witnels, and finalie, with all kind of impiety and wrong ; and how can the wrath of God alreadie kindled be any wayes quenched so long as it hath such matter to turn upon ; and albeit there be some good laws for repressing hereof, yet none of them are put in execution, or take any effect.

Fourthlie and lastly, What heart touched with a spark of naturall humanity or godly charity, can unbleeding behold the miserable estate of the poor vaiging in great troupes and companies through the countrie without either law or religion.

The Assembly understanding the great necessity of visitation in the North and South, where the Jesuites and Papists chieffie resort, and have overthrowen the greater part not only of the simpell, but also of the better fort, with the unhappy feed of popery ; and withall weighing the great perrell, as well already fallen furth, as that which may after ensue, have given power and commillion to their brethren, Mr Robert Pont, Mr Peter Bleckburne, Mr Nicoll Dagleish, for the north parts, from Dee to the Diocesse of Kathness inclusive ; to Mr David Lindsay, Mr Robert Hepburne, and Mr Adam Johnstone, for the south west parts, to wit, the Shireffdomes of Galloway, Nithsdale, Air, and Lennox including the Isle of Boot ; Mr George Monro, for the bounds of Orkney, to visit the saids bounds, as they be above divided, and therein to plant kirks with qualified Ministers ; depose and deprive such as be unqualified whither in life or doctrine, as well Bishops as others of the Ministry ; to crave of all men, as well of high estate as others, subscription to the Confession of Faith, and participation of the Lords supper ; to try, call, and convene papists and apostates, and to proceed against them conforme to the acts of the Assembly ; and, finally, to doe all others things that are necessary for the reformation of the saids bounds and reducing them to a good order, establishing of the Evangell, and good discipline of the Kirk : firme and stable holding the same &c. C.]

Mr Johne Cowper having resolvit that he is willing to accept the charge of the congregatioun of Glasgaw, the Assemblie ordaines him to be admittit be the Presbytrie therof.

[John Adamson, one of the Commissioners of Edinburgh, was ordained to intimate his resolution to the Counsell of the Toun.

Soon after William Little, Provist of Edinburgh, and John Johnstoun of Elphinstoun, directed from the Town Counsell, desired the Assembly to request Mr Robert Bruce to accept the charge of the Ministry at their kirk upon him, which he had not yet done. And if they could not find one presentlie to be placed in Mr John Coupers room, that they would give libertie to the Presbytrie of Edinburgh to transport such an one to that vacant place as they could agree with, the touns speciallie excepted be acts of the Kirk being exeemed; which was granted. C.]

Anent the disput had betuixt Mrs James Gordoun and Peeter Blackburne, committit to the review of Mr Andro Melvill and certaine brether: The said Mr Andro reportit, That on the part of the said Mr James and the enemies, they fand great diligence and soppistrie; alwayes they praised God for the knowledge givin to their brother, in whose answer they had found solid judgement and great licht, to the praise of God, and overthrow of the enemies.

#### Sessio 15<sup>a</sup>.

All Ministers within their parochines with all diligence shall travell with the Noblemen, Barrons, and Gentlemen, to subscribe the Confessioun of Faith; and to report their diligence to the next Assemblie.

[As for the ordinar Commissioners of Countries or Provinces, because they were ordained to be continued from the last Assembly to the next, and this Assembly hath been extraordinar, they are continued in their charges till the next Assembly, except that Mr Robert Innes, in place of Mr Robert Graham, is appointed for visitatione of Cathnes, Mr Thomas Buchanan for Fife, Mr George Monroe for Orkney.

The brethren who deduced the processe in Sanct Andrews against a witch presentlie detained in prison, were ordained to subscribe the same authentically, that it might be delivered to the Counsell of Edinburgh. Mr James Melvill was ordained to travell in the coast side, for matter of dittay against her.

Sessio 16<sup>a</sup>.

The brethren appointed to give their advices concerning the Articles of the Exchequer, presented their opinion, which was read and allowed, and ordained to be given to the saids Lords. As for concurring with the said Lords, for the parte of the Assembly conforme to the said answer, are nominated Mr Robert Pont, Mr David Lindfay, Mr Adam Johnstone, and the Moderatour. Of the which articles, and answers, the tenour followeth.

## The tenour of the said articles with their answers.

To remember the Assembly before their dissolving, in case they shall so think convenient, if they will authorize four, or any three of them, to deall and conclude touching the stipends, as well of the present year 1587, as of the years to come.

If the things past by Privie Seals to Ministers shall stand unchangable; or shall they be subject to the common condition of other Ministers as it followeth.

Shall assignations, in so farre as is already directed this year, stand unchanged, and proceed to the rest which is unanswered; or shall we speak of the whole matter as if nothing had been done of before this year.

The advice of the brethren appointed to give answers to the foresaid Articles, proponed by the Lords of the Exchequer, read and allowed by the Generall Assembly.

As to the first, The brethren agreeth, that certane of their number be adjoynd with the Lords Modifiers, to perfyte the assignations of this present year. As to the concluding of a perpetuall Platt, The said brethren shall have power to conferr with the saids Lords, and give their advice how a perpetuall Platt may be established; and the conclusion of the saids Lords and Brethren shall be sent to every Presbytrie in this realme, that the saids Presbyteries may give their advice to the next Generall Assembly, concerning all heads that shall be necessary to conclude and end the said perpetuall Platt. The brethren nominated hereto by the Assembly, are

Mr Robert Pont, Mr David Lindſay, Mr Adam Johnſtone, with the Moderator.

As to the ſecond Article, Their opinion is, that the affignation purchaſed under the Privie Seal ſtand this year, and that ſhall be adviſed thereafter ; and ſeing the ſaid affignations be given for the ſervice of a kirk only, and out of the fruits of the ſame paroch, and be not prejudiciall nor hurtfull to their brethren ſerving at other kirks ; and the brethren whoſe gifts are reſcinded, or altered, be not any ways deteriorated or put in a worſe eſtate nor they were.

As to the third Article, The brethren agree, that all allignations paſt ſtand as they are given out, providing that ſuch as are hurt be reponed to their former allignations ; and ſuch as have ſmall ſtipends be augmented ; and that ſuch as have no ſtipends be ſufficiently provided ; and laſt, that ſuch kirks as want ſtipends and Miniſters, may be ſufficiently provided of ſtipends, and men appointed to ſerve the ſame, as they ſhall be admitted in every Preſbytrie.

At the Kings deſire, it was ordained that the ſentence [of the Aſſembly, That James Gibſon, Miniſter of Pencaitland, be ſuſpended from his office and functions of the Miniſtrie during the will of the Aſſembly,] ſhould be extracted by the Clerk of the Aſſembly and ſubſcribed by him ; and libertie was granted that the ſame might be intimated in the pulpits of the kirks of Edinburgh. C.]

Mr Patrick Adamſone, Biſhop, is convict of tranſgreſſing the Act of Conference, and is declairit to have incurrit deprivation fra his office of Commiſſiourie ; and Mr Thomas [Buchanan] placit in his rowme quhill the next Aſſembly.

[The next Generall Aſſembly was appointed to be holden at Edinburgh, the firſt Teulday of Auguſt ; betwixt and which time,] ane generall faſt is appointed to be kept [univerſallie] the firſt twa Sundays of Julij : The cauſes quherof are,

1. The vniverſall conſpiracies of the enemies of the trueth [againſt Chriſts Kirk] to put in executioun the bloodie determinatioun of the Counfell of Trent.

2. The flocking home of Jeſuites and Papiſts [to ſubvert the Kirk within this country.]

3. The defection of the multitude from the trueth.

4. The conspiracies [intendit] againſt the ſame be great men, intertainers of Jeſuites and Papifts.

5. The coldnes of all [profefſors.]

6. The wrack of the patrimonie of the Kirk.

7. The abundance of bloodſheds, adulteries, inceſts, and all kynd of iniquitie, with many vthers quherof the particular kirks every quher hes thair experience.

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A. D. M.D.LXXXVIII.

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The Generall Affemblic of the Kirk conveyit at Edenburgh, in the New Kirk therof, the 6 day of August 1588: Quher ther was affenblit the Commiffioners and brether.

Exhortatioun made be Mr Robert Bruce. Leits, Mrs Robert Pont, Thomas Buchannan, Nicoll Dalgleifche, and James Robertfone: The faid Mr Thomas was chofen Moderatour be pluralitie of vottis hac vice.

The Kirk nominated Mrs Robert Bruce, Robert Pont, David Lindefay, Johne Robertfone, John Keith, Peeter Blackburne, James Balfour, Robert Hepburne, Johne Durie, James Robertfone, James Nicolfone, Andro Melvill, David Fergufone, James Anderfone, Andro Jong, Andro Mill, Andro Hay, Johne Porterfeild, George Gordoun, John Clappertoune, Andro Clayhills, the Mafter of Lindfay, the Laird of Lochlevin, [the Tutor of Pitcurr,] the Laids of Elphinfoun and Kers, and Johne Johnfoun [of Elphinfoun,] Affeffours, [to concurr with the Moderator, and to give their advice and counfell, at certane hours, in all matters which are to come before the Affembly. C.]

Sessio 2<sup>a</sup>.

It is thought expedient, that, in the frequencie of this Affemblic, the most neceffar things be firft handlit, [and that there are certane generalls

which before all others come to be refolved, namelie,] concerning the prefent danger imminent to the Kirk [of Chrift] within this realme, and to the commoun weill therof, be the arrivall of [forraigne nations, as] Spaingeards and Barbares; as alfo the danger and decay of the religioun be the raritie and povertie of the Minifters of the Evangell, [occationed by the continuall fpulie of the patrimoney of the Kirk.

For the firft,] The Kirk hes thocht for thair part and duetie in this behalfe, that ane faft be proclaimit the morne be the ordinarie teacher in the Kirk of Edinburgh, to be continued in the faid towne, [with fupplications to God, and continuall exhortations to be ufed,] the whole week, [by the brethren underwritten: The dayes of fafting to be the Thurſday and Sunday nixt; and likewise the famin faft to be kepted on the faid Sunday by fo many kirks about this toun as may have the opportunity: And for uſing the faid exhortations, in the mean time, appointeth the brethren following, viz. Mr Gualter Balcalnquall upon Wedneſday afternoon; and upon Thurſday in the morning at 7 hours, Mr John Craig; at 5 hours afternoon, Mr Patrick Simpſon; upon Fryday at eight hours, David Ferguſon, and afternoon, James Anderſone; Saturday befor noon, John Durie, and Mr James Robertſon, afternoon; on Sunday before noon, in the New Kirk, Mr James Ballfour, in caſe of abſence of Mr Robert Bruce; and in the High Kirk, after noon, Mr John Knox; and theſe brethren to lay out the dangers of the faids enemies, and circumſtances thereof, to the people, exhorting them to the defence of the true religion, libertie of the countrey, and in maintenance of the Kings Majeſty: And becauſe of dutie alſo they ought to put his Highneſs in mind of the faids dangers, and that his Majeſty, with concurrence of the Nobilitie and realme, may be provided for timous defence, they ordained their brethren, Mr David Lindſay and John Duncanſone, the morn in the morning, to paſs over to his Highneſs for that effect; and to crave ſome preſent order for the paſſis; wheranent to receve injunctiōs from the Aſſeſſors at five hours.

As concerning the ſecond head of the raritie and poverty of the Miniſtry: The Aſſembly hath deſired the Laird of Colluthie, the Provift of Edinburgh, John Johnſtone, Mr David Lindſay, Mr Robert Pont, and David Ferguſon, to take a conſideration of the eſtate of the thirds, what quantities diſponed to the Miniſtry, what the ſuperplus, and to give their advice how the preſent neceſſity of the Kirk may be releevd.

Ordains a Commiſſion of Juſticiary to be craved of the Kings Majeſty

and Counsell to be granted to the persons underwritten, or any three of them, to witt, my Lord Chancellor, my Lord Justice Clerk his Depute, the Treasurer or his Depute, the Clerk of Register, Mr John Grahame, Mr John Lindfay, the Captan of the Castell, the Laird of Marchinstoun, the Laird of Elphinstoun, the Provitt of Edenburgh, John Johnstone, Mr John Sharp, Mr John Nicolfone, giving them pouer as Justicers in that parte, to punish such crimes as in speciall shall be given in ticket be Mr David Lindfay; and ordains the Presbyteries thereof to give in the names of papists, and excommunicated, and maintainers of them, to their Commissioner, to the effect they may be presented to the said Justicers. C.]

### Sessio 3<sup>a</sup>.

Forfameikle as, vniversallie throuhout this realme, ther is neither religion nor discipline with the poore, bot the most part lives in filthie adulterie, [incest,] fornication, [their] bairnes vnbaptizit, and themselves never resorts to kirk, nor participats the sacraments: Therfor it is thocht expedient that all Ministers, in thair paroch kirks, fall make intimatioun, and denunce to all poore that either be parochiners or resort to them, having wemen and bairnes, that if they report not to them sufficient testimoniall of thair mariage and baptizeing of their bairnes, so many as hes wyves and bairnes, and sicklyke quher they have participat the holy communiou, that they wilbe refused [of their almes] at the hands of all good and charitable persons: exhorting also thair parochiners that they rather extend thair liberalitie to such as be of the household of faith, and be of discreit judgement in giving any such persones of thair almes, that gives not evidence to them as said is.

Anent the citatioun direct be the Moderatour of the Generall Assemblie aganis Mr Patrick Adamfone, callit Bischop of Sanct Androes, making mentioun, that forfameikle as, be ane act of the Presbytrie of Edenburgh, it was ordainit concerning the marriage of George Erle of Huntlie, that his hands shuld be proclaimed vpon his aggreing to subferyve to certaine articles of religion profess in this realme, quhilk he did subferyve; and vnder hope that he shuld subferyve the rest befor his marriage, ane inhibitioun was made conforme to the tenour of the said act, to diverse of the Ministrie, and speciallie to the forlaid Mr Patrick, that none of them shuld

take in hand to celebrate the forsaide marriage, vnto the tyme the said Lord Huntlie take in hand to subscryve the Confessioun of Faith conteinit in the acts of Parliament; with certification to them, and every ane of them, if they failzie heirin, they sould be callit, for disobedienc to the voyce of the Kirk, to the Generall Assemblie, and punished therfor, as accords: Notwithstanding of the said inhibitioun, the forsaide Mr Patrick proceedit to the solemnizatioun of the said marriage, and celebrate the same vpon the 21 day of Julij instant, disobeying therby the forsaide inhibition and admonitioun; as the said citatioun beirs: Quhilk being callit, and the said Mr Patrick compeiring be Mr Thomas Wilfoun, his procuratour, quho producit ane testimoniall of his seiknes, subscryvit be the Doctour, Mr Robert Nicoll, and twa of his bailgies, [and desired the brether, in his name, that they wald rather suffer him to depart in peace nor disquiet him in his sickness. The Assembly findeth the testimoniall not sufficient to excuse his absence. C. & B.]

Sessio 4<sup>a</sup>.

[Mr Thomas [Wilfon] was enquired if he had any mandat to compear for Mr Patrick [Adamfone,] and if he would take in hand to warne him to compear before them, before their dissolving, or then produce a sufficient testimonial of his seikness: He answered, He had no pouer, but compeared nomine excusatorio. The Assembly findeth it expedient to take away all pretext, that he be warned to compear before them upon the twelveth of this instant, to answer according to the first summonds; with certification, if he compeared not, they will proceed so far as they may, according to the law of God and with a good conscience. C.]

Sessio 5<sup>a</sup>.

The Kirk being informit that ther is ane ship latelie arriveit in the Firth from Dunkirk, suspect to be ane spy, out of the quhilk, ane man, as appeirs, to be of some marke is landit, they, with the Counsell present, desyrit the Bailgies and Provest of Edinburgh to man the ship, take the men and keip them quhill his Majestie come ovir; get it is reportit they refuse, in

respeēt it wilbe ane hinderance to thair traffick : The brether thinks it meit that Mrs Robert Bruce, Andro Hay, and Andro Melvill, pafs to the Chancellour to let him vnderstand of the said anſuer, and offer vnto his Lordſhip [all] thair concurrence to requeiſt the towne.

Forſameikle as in no countrey quher any religioun is allowed, it is permitted that the deid be buried in the kirks, and albeit inhibitioun hes bein diuerſe tymes made for avoyding of that abuſe, yet the acts and conſtitutiouns of the Kirk are daylie brockin : Therfor the Kirk inhibites in tyme coming, that any perſons be buried in the kirks, and that no Miniſters give conſent therto, bot directlie oppone therto ; certifeing ſuch perſons as falbe the authors and inbringers of the deid into the kirk, they falbe ſuſpendit from the benefites of the Kirk, quhill they make publick repentance therfor ; and the Miniſter that gives his conſent, and diſcharges not his conſcience in opponeing therto, falbe ſuſpendit from his functionn in the Miniſtrie : And to the effect this act may have the better executioun, ſupplication falbe made to his Majeſtie that ane ordinance may paſſe be his Hienes and Counſell, diſcharging the ſaid buriall within kirks, and ſicklyke erecting of tombis, and laying of troghes in kirkgeards, vnder ſuch paines as his Hienes and Counſell pleaſes to devyſe.

[It was enacted as followeth,] Forſameikle as ſen the late act of annexatioun, his Majeſtie hes transferritt the rycht of the patronage of diuerſe benefices, from his Hienes to temporall men, as Erles, Lords, Barrones, and vthers, and hes annexit the ſame to thair lands ; of quhom ſome hes gottin confirmatioun in Parliament, vthers hes obtainit the ſame ſen the Parliament, and the thrid fort hes gottin gift of the nakit patronage allanerlie, to the evident [danger,] hurt, [and prejudice] of the haill Kirk : Quherfor it is thoght good, that his Majeſtie be intreatit be earneſt ſute [and ſupplication,] that the ſaids diſpoſitiouns authorizit, as ſaid is, be Parliament, may be brocht back in the nixt Parliament, and ſick vthers as hes bein [ſinceline] grantit ſen the ſaid Parliament, in lyke manner, [may] be annullit : and that, in the meane tyme, it may pleaſe his Majeſtie to cloſe his hands from diſponing of the ſaid right of patronage, and transferring the ſamein from his Majeſtie, quhilk remaineth as yet vndiſponit ; and that his Majeſtie will provyde, that the Commiſſioners and Preſbytries, to quhom the collatioun of the ſaids benefices appertaines, be not proceſſit or hornit for not giving admiſſioun therupon : Inhibiting in the meane tyme all Commiſſioners and Preſbytries, that they in no wayes give collatioun or

admissioun to any persons presentit be the saids new patrons, as is above specifeit, vnto the nixt Generall Assemblie of the Kirk.

Anent the supplicatioun givin in be James Gibsone, desyring that he may be heard to purge himself of the contumacie for not compeirance in the last Assemblie, [and] to repon him in his awin functioun : The Kirk thocht it expedient that he sould declare the cause of his none compeirance befor the brether of the conference ; quho reportit that he had declarit [of] his conscience, the cause of his absence was never rebelloun, flubbornes, nor evill will, bot only in respect of the good affectioun he had to the weill of the Generall Kirk, being informit that if he had compeirit, and had not bein punished, the matters of the Kirk wald be castin off [by the King :] Quhilk reason being confidderit be the brether, they thocht the same sufficient to purge him of contumacie, [but not to be reponed. P.]

[The Commissioner of the toun of Edinburgh desired the Assemblie to requiest Mr Robert Bruce to accept upon him the ordenar charge of the Ministrie in their toun, which they promised to doe when he came to the Assemblie. C.]

#### Sessio 6<sup>a</sup>.

Compeirit Mr Alexander Forbes, Minister and Person of Fettercarden, and, in presence of the hail Assemblie, ratified ane promise quhilk befor he made in his Presbytrie, that he sould sett no tacks nor factorie of the teynds of the said kirk, without the speciall advyce of the Generall Kirk ; declaring in thair presence that he hes sett none as yet ; and farther [promising before them,] that he sall not sett in tyme comeing, nor make any right therof to any person, without the consent and advyce of the Generall Assemblie.

#### Sessio 7<sup>a</sup>.

[Report being made by the brethren of the conference, and certain others past out of the Assemblie with them, be Mr David Lindsay, of the Kings Majesty his good mind and earnest affection to the defence of the true religion, and of his commonwealth against the forraigne enemies, of his

Majestys singular and good will offered thereunto : The Assembly most heartly thanked God for the same, and ordained the right honourable the Lairds of Coluthie and Dundaffe, with their brethren, to witt, Mr Robert Bruce, Mr Patrick Galloway, Mr Andrew Melvill, and David Ferguifone, to passe unto his Majesty afternoon, giving unto him most humble thanks in name of the whole Kirk, and to exhort his Majesty to continue in that good mind, to the glory of God, and singular comfort of his Hienes subjects.

Sessio 9<sup>a</sup>.

Mr Robert Bruce, Mr Andrew Melvill, John Duncanfone, were directed to crave of the Earle of Huntlie subscription to the Confession of Faith.

Sessio 10<sup>a</sup>.

[Anent the requiest of the Commiffioner of the toun of Edinburgh, desyreing the Assemblie to requiest Mr Robert Bruce to accept upon him the ordenar charge of the Ministrie in thair toun :] Mr Robert being heard, answered, That he would not presentlie accept the said ordenar place ; alwise offered his labours, as he had done of before, till the next Assemblie : The Assemblie thought it not expedient to urge him further for the present. C.]

Sessio 11<sup>a</sup>.

[It was found expedient before any other sute be made to his Majesty, that Mrs Robert Bruce, David Lindfay, and John Craig be directit vnto his Majestie to vnderstand be quhat means the religion salbe mantainit with-in this realme, and continuit to the posteritie. • They were presently sent furth, and ordained to bring back the Kings answer with expedition. C. & B.]

[Mr Patrick Adamfone was called on to answer for the solemnizing of the marriage of George Earle of Huntlie and his spouse, contrarie to the inhibition of the Moderator of the Presbytrie of Edinburgh and



Commiſſioners of the Generall Aſſembly, and for ſuch other things as ſhould be laid to his charge. Mr Thomas Willſon compeared for him, and produced a teſtimoniall of his ſickneſs: Although they find the teſtimoniall not altogether ſufficient, they gave commiſſion to the Preſbytrie of Edenburgh to ſummon him to compear before them, at ſuch convenient times as they think expedient, to anſwer for the action contained in the ſaid ſummons, and for ſuch other complaints and accuſations as ſhall be in particular given againſt him, namely by Mr Robert Pont and Mr Adam Johnſtone; to hear and conſider his defence, and to proceed and give ſentence as the Aſſembly itſelfe might doe, according to the law of God, good order and diſcipline of the Kirk. C.]

### Sellio 13<sup>a</sup>.

Forſameikle as in default of viſiteing of the North parts, quher cheife and greateſt neceſſitie is, hes great inconvenience followit, albeit no wayes in default of the brether appointit to that charge, bot for lake of proviſioun and expenſes, the allignatioun of their charges being made to be payit be the Biſhop of Sanct Androes, quho contemptuouſlie diſſobeyis good order, and lyes at the horne: It is not the leſs found expedient, that the brether, to quhom commiſſioun was given befor, ſhall yet vndertake the burdein of [the ſaid] commiſſioun, their charges and expences being affignit them out of ſome readie payment; and that to this effect the Commiſſioners of the North, viz. Mrs John Keith, Gilbert Gardein, and Alexander Raufone, ſhall travell with the Lords of the Checker, and delait the neceſſitie of their viſitatioun, and crave that the ſamein affignatioun be alterit, and the Commiſſioners payment more commodiouſlie appointit.

[Touching the ordinar Commiſſioners and Viſiters of the Kirk: Nominateth the perſons following, viz. for Orkney, Thomas Swintoun; for Cathneſs, Mr Robert Inneis; for Roſſe, Mr John Robertſon; for Murray, Mr Alexander Douglas, for whoſe better ſupport the brethren requiſt the Biſhop of Murray to give his aid to further the diſcipline there, and for Aſſeſſors to the ſaid Mr Alexander, has appointed Mr John Forreſter, William Dumbar, Mr John Keith, with the reſt of the Aſſeſſors granted to the former Commiſſioner; for Bamf, Mr George Hay; for Aberdeen, Mr Patrick Bleckburne, ordaining the Biſhop there to concurre with him

in the Ministrie of the said Kirk, as well in his prefence as absence; for Angus and Merns, the Superintendent of Angus; alwise in respect of the infirmity of the said Superintendent, giveth power to their brother, William Christefone, to designe the manfes and gleibs within the said bounds; for Fife, Mr Thomas Buchanan; for Dumblane, James Anderfon; for Nithsdale, Mr John Houyfone, ordaining the Presbytrie of Glasgow to provide for his absence in his place, and the brethren directed to the Exchequer to be carefull that some reasonable remedy be made to bear his charges; for Lothian, Mr David Lindfay; for Merce, Tiviotdale, and Tweddale, John Clappertoun; for Galloway, John Duncanfone; for Kyle, Carick, and Cuninghame, Mr John Porterfield; for Cliddisdale, Renfrew, and Lennox, Mr Andrew Hay; for Dunkelden and Perth, Mr Patrick Galloway. C.]

Anent the requiest of the Commissioner of Edinburgh, desyring the Assemblie to ratifie the calling of Mr William Watlone to the Ministrie of Edinburgh: The Generall Kirk ratifies and approves the same in presence of the said Mr William, desyreand to be transportit from the said Kirk; quhilk the Assemblie refused.

All Ministers and Pastours are exhortit in their sermons to delate opinie the prejudice done to the haill Kirk be the spuilzie of the patrimonie therof, and publicklie to disallow and oppone aganis the publick abuse therof.

The Generall Assemblie vnderstanding the appeiring ruine and decay of the Evangell within this realme, for fault of provisioun of Ministers, and intertainment of the Schooles and Colledges, hes thocht good and expedient to give thair commiission, and be the tenour heirof to grant full power to Mrs Robert Pont, Robert Bruce, David Lindfay, Adame Johnstone, Johne Craig, Andro Mill, Thomas Buchannan, Andro Hay, Johne Porterfield, Peter Blackburne, Johne Duncanfone, David Fergufone, William Stirling, Gilbert Gardein, Ministers of the Evangell, or any fevin of them, to compeir befor his Majestie and Counsell, on Monday nixt, or sicker vther day as his Majestie [and Counsell] shall appoint, to call, conferre, [reason,] and advyse vpon the said heid; and to crave humblie of his Majestie that the Ministers and Reidars assignatiouns may be [yearlie] givin out at All Hallowmes; and that sicker as are provydit already of thair stipends ad vitam, and vthers that are content with the assignatiouns already made to them, be unalterit therin, quhill they may obtaine better provisioun; and to

that effect to travell earnestlie with his Majestie and Counsell; and to report againe anfuere to the nixt Generall Assemblie of the Kirk: firme and stable &c.

Anent the request of the Presbytrie of Dumblane, in respect of the few number and povertie of thair Presbytrie, to joyne to thair Synodall Assemblie the Presbytrie of Lynlithgow: The Assemblie present hes found [it] more meit and discernit that the Presbyteries of Perth and Dunkeld fall be joynit with the Presbytrie of Dumblane, and in ane Synodall Assemblie, to be haldin first in Perth, and therafter in any place quher the Synodall fall think it meitest.

The Generall Assemblie hes given thair authoritie and commissioun to the Presbytrie of Edinburgh, to call before them papists and apostates quho fall happin to resort to Court, or to the said towne; and in speciall to summond my Lord Seatoun, the Earle of Huntlie, William Schaw, Johne Chisholme, and Collonell Stewart, [and proceed against them, and every one, according to the acts of the Assembly. C.]

#### Sessio 14<sup>a</sup>.

According to the loueable custome observed amongst the ancients of humiliatioun and fasting of the Pastours [before the Assembly,] the brether and Kirk conveyit hes thocht meitt, and be ordinance statute, that in tyme comeing, quhen it fall please God to conveye the Generall Kirk of this realme, That the first day of the Assemblie, at the place and towne quher they conveye, ane publick fast and humiliatioun be of the hail inhabitants therof, asweill as of the Pastours ther conveyit, and the chayre of veritie asweill occupied befor noone in the morning as afternoone, be the ordinar Pastours therof; the tyme and houres of the exhortatioun made befor the Assemblie being kept as of befor, to the effect it may please God to give his blessing to the Conventioun, and good issue to thair travells: And because the nixt Assemblie is concludit to be in Edinburgh, the Pastours therof is ordainit to give intimation heirof to the congregatioun, the Son-day before the [said] Assemblie.

Anent the questioun movit, If a man, convict of adulterie six zeirs senfyne, satisfieing the ordour of the Kirk be repentance, and presentit new

to ferve in the Ministrie of the Evangell, fould be admittit thereto or not : The Affemblie anfuerit negativè, and thinks he ought not to be admittit.

[Questions and bills remitted to the full Affembly, which have not received anfwer : The brethren remitte the decifion of them to the Commiffioners which are appointed to attend upon his Majefty, giving them full power to decide. C.]

The nixt Affemblie was appointit to be in Edenburgh the 3 Tuefday the 17 day of Junij nixt to come, 1589.

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A. D. M.D.LXXXVIII.

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In a Convention of the maist wacryff and cearfull of the breithren,  
(everie an warning and moving uthers as the custome of the Kirk  
of Scotland was from the beginning,) met at Edinburghe in the  
month of Januar 1588.

Mr Andrew Melvill moderated. Mr James Melvill was scribe.

Humble Petitions to his Majestie and Counfell, for preventing of the  
dangers threatned to the professors of the true Religion within the  
Realme.

That it may please his Majestie to give command both to particular  
Presbyteries, and such other Ministers, Barrons, and Gentlemen, as shall  
be thought meet, to convene and consult upon the readiest remedies of thir  
dangers appearand, so oft as they shall think expedient; and to report  
their opinions and advyses to his Majestie, betwix this and the xx day of  
Januar.

That it may please his Hienes to forbear in tyme to come, to interpone  
his Privie Letters or discharges to the Kirk for staying of thair proceeding  
with thair censures against Papists, when as they cannot be reclaimed be  
jaufull admonitions.

That Commiffions may be directed to fome fpecialls of his Hienes Counfell, beft affected and of greateft power, to fearch, feek, and apprehend and prefent to Juftice, all Jefuits, and vthers privat or publick feducers of his Hienes lieges; and that the faid Commiffioners may be instantly named, and a day appointed to the report of their diligences in that behalfe.

That fome fpecialls of the Miniftrie, affifted with fome well affected Barrons or other Gentlemen, may be authorized with his Hienes commiffion and licence, to pafs to every quarter of this Realme, and there, be means that they find meeteft, try and explore what Noblemen, Burrowes, Barrons, and others of any rank and calling, professe the Religion, and will joyne afauldlie in the defence therof, and who will not; and that a day may be appointed in like manner for reporting of thair diligence.

That feing the fpeciall occafion of the finiftrous fufpicions, conceit of his Hienes finceritie in the truth, and that animateth the Papifts moft, is his authoritie and fervice put in the hands of Papifts, under whofe wings all Jefuits, and others devoted to that fuperftition, find countenance and comfort: That, for remeed thereof, it may pleafe his Majeftie to purge his Houfe, Counfell and Seflion, and to retire his power of Lieutenantrie, Wardanrie, and other his authoritie whatfomever, from all and whatfomever perfons avowed or fufpected to be papifts: and to let proclamaciones immediatelie be directed for publicatione of his Hienes good intention and meaning in that behalfe, to the confufion of the Papifts and thair Patrons, and confort of the godly offended this tyme bygean with thair long tolerance and overflight.

. . . . .

At the fame time it was thought good that certaine fould be nominated to confult in privat concerning the beft and moft ready way of the faid execution. Ten Noblemen, Lawiers and Burgefles, on the one fide, viz. [the Erle of Angus,] the Earle Marefchall, the Mafter of Glames, Thefaurar, the Laird of Lochleven, the Clerk Register, Mr John Sharp, Mr Thomas Craig, Mr John Nicolfone, John Johnftone of Elphiftounne, John Adamfon; and ten of the Miniftrie, viz. Mr Andro Melvill, Mr Robert Pont, Mr Robert Bruce, Mr David Lindfay, Mr Andro Hay, [Mr Thomas Bowchanan,] Mr Patrick Galloway, Mr Nicoll Dalgleifh, Mr James Melvill, Mr Andro Mylne, mett [the fame day at after noone,] and,

after long reasoning and advifement, thought it moft expedient and needfull ;

First, That the faid executioun fhould be without delay, in refpect of the imminent danger.

Nixt, That for as much as there three ranks of enemies ; the firft of cheiff maintainers of Papiſts and Papiſtrey ; the fecond of Jeſuits, Seminarie Prieſts and Traffiquers ; the third of allowers, receivers and intertainers of theſe in their houſes, and partakers of their purpoſes and idolatrie : It was thought beſt that the firſt ſort ſhould be charged to ward ; the ſecond apprehended at unawares, and puniſhed ; the third proceeded againſt conforme to the laws of the countrey, and being found culpable, to be puniſhed accordingly.

And laſt, To the intent that ſo weighty a matter might be ſolidlie adviſed and fett down in all points, the Clerk Register, Alexander Hay, Mr John Sharp, Mr Thomas Craig, and others, were requested to take time and pauſe upon the matter, and every one ſeverally fett down their judgement in write. The which being conferred together, conſeſion was taken and reported to his Majeſty.

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At this Convention were appointed certan Commiſſioners and brethren to meet every week [in Edinbruche,] to conſult upon affaires pertaining to the weill of the Kirk in ſo dangerous a time, viz. Alexander Hay, Clerk Register, Mr John Lindſay, one of the Senators of the Colledge of Juſtice, Mr John Sharp, Mr Thomas Craig, Mr John Skeene, Mr John Nicolſon, Advocats, William Little, Provift of Edinburgh, John Johnſtoun of Elphinfounne, John Adamſone, Hendrie Charters, Burgeſs in Edinburgh, Mr Robert Bruce, Mr David Lindſay, Mr Robert Pont, Miniſters.

The Kings Commiſſioners, with ſome other being of the Miniſtry, were appointed to travell with his Majeſty for a proclamation [to be fett furthe,] to lett all his ſubjects underſtand his Hienes zeal and care to purge the land of Papiſtrie, and to maintain the true religion ; and to deſire his Majeſty of new again, now in his perfect age, to ſubſcrive the Confeſſion of Faith ; and to renew the charge given in his minority to all his ſubjects, to ſubſcrive the ſame of new again.



It was further ordained that all Commissioners and Moderators of Prefbytries in all partes, should be carefull to have intelligence of all matters within their bounds, concerning religion and the weall of the Kirk; and to send advertisments from time to time to the forsaide Commissioners appointed to conven weekly in Edinburgh.

It was agreed that the Generall Assembly should be holden in Edinburgh the sixt of Februar nixt to come; and that the Provinciall Synods be holden and difolved before the 24 of Janwar.

It was thought necessar, that the Commissioners of the Provinces, and every Minister within their own bounds respectivé, informe all Gentlemen well affected to religion, of the attempts of Papists, and dangers imminent, and of the liberty granted be the King and Counsell to conven, that so they may be moved to take commissions from Synods, and not fail to keep the Generall Assembly [and make it frequent.]

As concerning Jefuits, Seminarie Priests, and other seducers of the people: It was agreed, that at the nixt Synods the Ministers should be charged to declare them excommunicated out of the pulpit, immediately after their return to their own Kirks, that the people may beware of them, and of such as favour them, intertaine them in their houses, or have any meddling with them: and that every Minister have their names enrolled to this effect.

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A. D. M.D.LXXXVIII.

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[The General Affembly conveened, as was appointed upon the fixt of Februar. It was frequented with many Noblemen and Gentlemen.

The greevances of every Province and Presbytry were givin in, whereby might be perceived cleerly how the land was defiled all throughout, specially the North and South, with popery, superstitione, bloodshed, and all kind of villany : Whereupon the brethren were stirred up to watch diligently over their flocks, and to have a care of the well of the whole Kirk.

Complaints, and greevances, and petitions, were formed to be presented to the King and Counsell.

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A. D. M.D.LXXXIX.

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The General Affembly convened upon Tuesday the 17 of June. [James Melvin is chosen Moderator. P.]

Upon Friday the 20, the King had a speech to the Affembly, and promised to hold hand to discipline. All the Commissioners of Countries were changed, except the Laird of Dun. The King would needs have Mr Patrick Galloway to be his Minister.

[The Affembly by the mouth of the Moderator rendereth his Majesty humble thanks for the beginnings he had made in suppressing the enemies of religion. They entreat to prosecute the business, and made offer of their humble service to the uttermost of their power. As for that he craves, they acknowledge his Majesty may command any Minister within the realme, to attend himself and his Court.

It is appointed, that at the convening and loosing of every Affembly, the roll of Commissioners shall be called, and all absents be censured.

Univerfall tryall shall be made of all the Ministers within every Presbytery; and the tryall to be of their life and doctrine, especially of simony, if any be suspect to have entered that way. The tryall shall be by questions and preaching; and where any shall be found unqualified, he shall be deposed without respect of age or other condition: and this tryall shall be concluded before the next Provinciaall Synod, which is appointed to be September 3; as every Presbytery will answer unto God and his Church.

It is appointed, that in every Presbytery they shall dispute concerning the mariage of adulterers; and report their judgement unto the next Assembly.

The Act made in the last Assembly concerning the giving of admission upon the presentation of laik patrons, shall stand untill the next Assembly; with this addition, That the person who shall admit shall incurr the censure of the Church.

Violaters of the Sabbath (under which are comprehended parishioners absenting themselves from the sermons of their own parish, without a just cause,) and blasphemers of God, are ordained to be tryed and censured by the particular Sessions of the parish: and who shall be convicted of these offences, shall be denied of the benefits of the Church, with further censure, as the Word of God will allow.

The aged and weel meriting in the Ministry should be preferred to young men *cæteris paribus*, being found qualified by the Presbyteries where churches are vaiking, and they agreeing with the Congregation.

The Presbytery of Edinburgh having received commission from the former Assembly to call Patrick Adamson before them for solemnizing the marriage of Huntly, now deliver their processe, shewing that for his contumacy in not compearing after citations, they had deprived him from all function in the Church. The Assembly judgeth the processe formall, ratifieth their sentence, and ordaines it with other sentences that were pronounced against him, to be published in all the churches. P.]

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A. D. M.D.LXXXIX.

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[The Generall Affembly convened at Edenburgh the 3 day of March.

Bothwell, Montrose, and Fleming, gave in a supplication in favours of Fintrie. Some brethren were appointed to conferr with him.

Upon the 5 of March, the said Lords requisted for 20 dayes liberty for further conference: It was granted upon conditions that he be kepted at the Provists appointment, at some honest mans house, where none should have access to him without the presence of some of the Ministrie; and that if he remained obstinat, they would travell no more for him, nor have any dealing with him. Mr Andrew Melvill, Mr Nicoll Dagleish, Mr John Davidstone, and sundrie others opposed, but in vain; and therefore Bothwell and Montrose came again to the Affembly the same day after noon, and fought other 20 dayes, which was hardlie taken. Bothwell desired in end that the Affembly should conceeve no evill opinion of him, and promised to speak no more for Fintrie.

Upon Wednesday, the eleventh of March, my Lord Hamiltoun offered to the Affembly all kind of assistance according to his power. The Duke did the like after noon.

It was appointed that a fast should be kepted every Sabbath till the Kings return.

A minute of the generall acts concluded in the Assemblie the 3 of March 1589.

First, An act concerning discipline to be used against receptors of Jesuits, Seminary Priests, and excommunicats, whereof the diligence is to be reported to the Presbytrie of Edinburgh, betuixt and the first Tuesday of May nixt to come.

All Pastors proceeding to the sentence of excommunication against whatsoever persons, enjoyned to send the testimoniall of the sentence to the Session of the Ministers of Edinburgh, to be intimat by them, as also the sentence of absolution therefrom, under the pain to be publickly admonished that failgies therein.

An act against the keeping of fairs and mercats on the Lords day, to be execute generally, and, in speciall, against certain persons nominate therein, who may stay the famen.

The subcription of the Bond of mantaining religion and Confession, de novo, is to be execute be the brethren and Commissioners appointed by the Privie Counsell thereto; and that report of the diligence be made to the Presbytrie of Edinburgh, betuixt and the 20 day of May nixt to come.

The said Bond, with Confession of Faith, Act of Secret Counsell concerning Jesuits, Papists, and Seminary Priests, a new Commission to receive subscriptions, are ordained be the Counsell to be printed, whereof every Presbytrie shall take home a copy, or give tickets to Mr John Davidfon, of the persons names who shall receive the famine, and pay therefore; and, sicklike, to take with them a requiest of the Assembly to the Commissioners.

Item, The whole Ministers to proceed against Papists within their bounds, conform to the acts of the Kirk.

Item, Tryall de novo is appointed of the whole Presbyteries, as was had before this Assembly, and their diligence to be given in write in their Synodall, in October nixt to come, and therefrom brought back to the Generall. Nothing altered in the whole Commission, except Elgin, Forresse, and Inverness, to be tryed by themselves; and the Presbyteries of Dumfermling and Kirkcaldy to trye themselves, with the assistance of Mr Andrew Melvill, and Mr Nicoll Dagliesh; Hadintoune as before, chang-

ing Mr Nicoll Dagleish with John Brand ; and at the tryell of Peebles, for Mr David Lindfay, John Brand.

The whole Presbyteries within this land are commanded to direct, under their testimonials, the names of all the beneficed persons not making residence, and others incurring deprivatione be act of Parliament, that are els depofed, or shall be depofed hereafter, to [the] judges of non residence, betuixt and the 20 day of May nixt to come, under the pain to be publickly rebuked be the whole Affembly.

Diligence to be done be Pastors, Commiffioners and Presbyteries of Countreys, againft the intertainers of excommunicat persons, viz. that after admonition they be proceeded againft with the fentence of excommunication ; and this diligence to be remitted back be every Presbytery to the Presbytery of Edinburgh, betuixt and the first Tuefday of May nixt.

The fame order and execution to be followed on againft recepters of Jefuits, Seminary Priefts, to be likwife remitted under the pain of depofition of the Pastors negligence heirin, and accompting of Presbyteries and Commiffioners for slothfulneffe.

Presbyteries and Particular Sellions to proceed againft the violaters of the Lords day, by keiping of mercats and fairs therein, with the censures of the Kirk ; and, in fpeciall, againft the persons that may ftay to be holden within their bounds.

It is ordained that the brethren recommend to God in their publick and privie fupplications, the afflicted brethren in England for the confeffion of the purity of the religion.

The act concerning the acceptation of one kirk allenerly by every Presbytry ratified, and to be putt in execution ; and the refusers to be depofed of the function of the Miniftry.

Synodalls are ordained to help the Burrowftouns within the fame, yet unprovided and unhelped, and provid Pastors therto ; exeeming Edinburgh, Dundee, Glasgow, Sanct Andrews, quich are to remain yet as of before ; and the provision to be by fome of their oune members, or otherwise who are licenced to be transported by the General Affembly, or fuch as . . . . . C.]

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[Apud Edinburgh, sexto die mensis Martij, Anno I<sup>co</sup> V<sup>o</sup> lxxxix<sup>o</sup>.

Sederunt.

Dux Lennoxie.

Mortoun.

Montrois.

Lindsay.

Dingwell.

Pluscarden.

Newbottle.

Culrois.

Barnbarrauch.

Murdocairny.

Blantyre.

Clericus Registri.

Culluthy.

Forſamekle as be aēt of Parliament, intitulat Anent the tryall and puniſhement of the offenſes of the aduerſaris of the trew religioun preſentlie profeſſit within this realme, it is ſtatute and ordanit, That quhatſomeuir profeſſit and avowit Jeſuitis or Seminarie Preiſtis ſuld be found in ony parte of this realme, within the ſpace of ane moneth eftir the publicatioun of the ſaid aēt, quhilk wes deulie publiſt vpoun the xiiij day of Auguſt, the 3<sup>er</sup> of God I<sup>co</sup> V<sup>o</sup> lxxxvij 3<sup>er</sup>is, ſuld be takin, apprehendit, callit, perſewit, and incur the pane of deid and confiſcatioun of all thair mouable guidis : And quhaeuir wittinglie or willinglie ſuld reſett or ſupplee ony of thame thaireſtir, be the ſpace of three dayis and three nychtis togidder, or ſeueralie at three tymes, vpoun certane knaulege that thay ar perſonis of that profeſſioun, being lauchfullie and ordourlie conuict of the ſame, ſuld incur the tinfale of thair lyverentis ; and that thay, as alſwa all ſayaris or heiraris of mes, or prophanaris of the ſacramentis, or vthiris perſonis ſuſpect to haue declynnit fra the trew religioun, or reſuſeing to reſorte to the preaching of Godis worde, or quhatſomeuir perſone that ſuld, be reſſoning or diſperſing of buikis or letters, preſume to perſwade ony of his Maieſteis ſubicctis to declyne fra the profeſſioun of the ſaid trew religioun, being callit to compeir and anſuer thairupoun befor his Hienes and his Preuey Counſaill, in cais the perſonis ſwa dilaitit and accused or ony of thame ſuld be found culpable be his Hienes Preuey Counſaill, or ony fyve of them, (the Chancellair and Clerk of Regiſter being twa of that nowmer,) outhir be the confeſſioun of the ſaidis perſonis accused, or be the depoſitioun of famous witneſſes ; or giſt the ſaidis perſonis being callit and adiugeit criminalie, (in cais his Maieſtie and Lordis of Secreit Counſaill ſall ſwa think

gude,) and wer found culpable and gilty of the premisses, that thay thairthrow fuld incur the pane of tinsale of all thair mouable guidis, togidder with the lyverentis of all thair landis and levingis quhatfomeuir, to be vp-takin and imployit to oure Souerane Lordis awne vse, and nawayes disponit to the perfonis that fuld be conviçt, or fugitiue for the caus foirsaid, as the said aēt of Parliament in the selff propositis. And becaus his Maiestie and his Esteatis, quhilkis conuenit at Haliruidhous vpoun the xxvij day of Julij, the geir of God I<sup>co</sup> V<sup>e</sup> lxxxviij geiris, perceavit be gude experience the inconuenient that followit throw the default of the nonputting of the same aēt to dew executioun; and that thairthrow the saidis Jesuitis and Seminarie Preistis disdanit his Maiesteis said aēt, and continewit in seducing and perswading of diuers of his Nobilitie, Baronis, and vthiris his gude subiectis, to declyne fra the said trew and chrissteane religioun, and to practize the alteratioun and trouble of his Hienes Estate: Thairfoir be ane vthir aēt and ordinance maid be his Maiestie, his saidis Nobilitie, Counsell, and Esteatis, quhilkis conuenit the said xxvij day of Julij, certane perfonis specialie expressit thairin wer nominat, electit and constitute his Hienes Commissionaris and Iusticeis in that parte within the boundis of the Schirefdomes, Stewartis, Bailliereis and Citeis vndirmentonat: Likeas to thame coniunctlie and feueralie, within the boundis specialie limitat to thame, wer gevin his Hienes full pouer and commissionn, all and findrie Jesuitis and Seminarie Preistis, as, namelie, Mr James Gordoun, fader brouthir to the Erll of Huntley, Maister Edmond Hay, brouther to the Gudeman of Meginche, Maister Williame Creichtoun, Maister Alexander M<sup>c</sup>quhirry, Gilbert Broun, sumtyme Abbot of Newabbay, M. Mark Ker, sone to Robert Ker, eldair, burges of Edinburgh, and vthiris of that professioun, in cais thay fuld nocht depairt furth of this realme, and entir thame selffis to the Prouest of Edinburgh, to haue bene lugeit quhill occasioun seruit to transporte thame according to the proclamatioun publikt to that effect; and als all and findrie his Hienes rebellis remaining at the horne for slauchter, or sic vtheris odious crymeis, and all fornaris, brigandis, and maisterfull vagaboundis, To pas, ferche, seik, tak and apprehend, and outhir to bring and present thame befor the Iustice and his Deputis in the Tolbuith of Edinburgh; or then the saidis Commissionaris and Iustices thame selffis to putt the saidis Jesuitis and Seminarie Preistis, and vtheris aboue writtin to the knaulege of ane Assise for thair saidis wicked and vnlauchfull practizes, and attemptatis, and contemptuus dissobeying and contravening of the

lawis and actis of Parliament, and vthiris crymes committit be thame ; and as thay fuld be foundin culpable or innocent, to minister iustice vpon thame conforme to the lawis and consuetude of this realme ; courte or courtis to this effect to sett, begin, afferme, hald and continew ; Deputis vndir thame, with clerkis, feriandis, dempflaris, and all vtheris officeris and memberis of courte neidfull to mak, creat, substitute, and ordane ; Assises ane or ma to that effect, ilk persone vndir the pane of ffourty pundis, to summond, warne, cheis, and caus be sworne ; vnlawis, amerciamentis and eschettis of the saidis Courtis to ask, lift and rais ; and for the same, giff neid beis, to poind and distrenzie ; compt, rekning and payment to his Maiestie and his Thesaurair in his name in the Chekker to mak, quhairin the necessair expensses to be maid in the executioun of the said Commiission is appointed to be defeased and allowit. And in cais the saidis Jesuitis and Seminarie Preistis, and vthiris abouespecifeit, sal happin to flee to houffes or strenthis, to assege and perfew thame thairin, rais fyre, and vse all force, and weirlyke ingyne for recouerie thairof ; and giff it sal happin ony of thame, or ony assisting and concurring with thame, to be hurte, flane, or mutilat, or ony wrak, distructioun of houffes or guidis to be done ; the same to be imputt for na cryme nor offens to the saidis Iusticeis and Commiissionaris, or personis assisting thame in the executioun heir-of ; nor thay nor nane of thame to be callit or accused for the same criminalie nor ciuillie be ony maner of way in tyme cuming ; exonerung thame of all actioun and cryme that may be moved and intendit aganis thame or ony of thame for the same ; and dischargeing all his Hienes Iugeis and Ministeris of his lawis off all calling, accuseing, vnlawing, or ony wayes pleding aganis thame thairfoir, and of thair officeris in that parte for euir. Mairouer with pouer to the saids Iusticeis and Commiissionaris to inquire qubat feidis or variance standis betuix ony parteis inhabitantis within the shyris and boundis appointit to thame, and quha wes the maist able and indifferent freinds to be imployit for componing and awaytaking thairof, and to require and command thame to travell to that effect ; and the personis standing at variance to submitt thame selffis to the moderatioun and arbitrimet of the saidis indifferent freindis, according to the effect and meaning of the generall Band subscriuit be his Hienes and diuers of his Esteatis ; or, in cais of refuse or delay, to certifie the same to his Maiestie and his Counsaill with all conuenient expeditioun, that sic further ordour mycht be tane thairanent as appertenit ; and to move certane of the maist

worthy and zealous personis in euery parochin to tak vpoun thame the commillioun for executioun of the act of Parliament maid for pynishment of strang and idill beggaris, and releiff of the pure and impotent. As alſwa ordanit and commandit the ſaidis Commillionaris and Iuſticeis to proclame and caus mak wapponſhawings of all ſenſible perſonis in the boundis particularlie limitat to thame; and to charge thame to conuene in armes at all occaſiouns neidfull, for defens of the cuntrey, and reſiſting of all outward and domeſtick inuaſioun tending to the dangeir of the profeſſouris of Goddis trew religioun, or troubling of the commoun quietnes of this realme: And forder to charge and require all his Hienes gude ſubiectis to concur and aſſiſt thame in the executioun of the premiſſes, vnder the panes contenit in the actis of Parliament; and forder vnder the pane to be repute, haldin, eſtemit and perſewit as hinderaris of his Hienes ſernice, and arte and pairt takaris with the ſoirſaidis rebellious and diſſobedient perſonis in their vngodlie and wicked deidis: And that the ſaidis Commillionaris and Iuſticeis do their exact diligence for executioun of the premiſſes, as thay and euery ane of thame will anſuer to his Maieſtie vpoun their obedience, at their vttermoſt charge and perrell; and forder vnder the pane of ane thowſand pundis to be payit be euery ane of thame that ſalbe found remiſſe or negligent heirin, as the ſaid act of Secreit Counſaill of the date ſoirſaid at mair lenth proportis: Quhilk, with the ſaid act of Parliament, and vtheris actis, ordinanceis, and commiſionis, paſt and gevin for executing of the ſame actis aganis the ſaidis Jeſuitis, Seminarie Preiſtis, Papitiſis, and excommunicat perſonis, the ſaidis Lordis of Secreit Counſale, in oure Souerane Lordis name, ratifeis and approvis, and ordanis the ſame to be putt to forder executioun in all pointis, conforme to the tennour thair of, with ſic expedition as conuenientlie may be. And becaus thair is certane of the Noblemen, Baronis, and vtheris, expreſſit Commiſſionaris in the ſaid act of Secreit Counſaill, maid vpoun the ſaid xxvij day of Junij ſoureſcoir ſevin geiris, that, ſen the making thair of, ar departit this lyſſe, vtheris diſeaſit in their bodyis, and ſum abſent furth of the realme, and in vtheris partis ſer diſtant fra the boundis within the quhilk commiſſioun wes gevin to thame, be reſſoun of their reſidence thairin for the tyme, ſwa that at this preſent they may nocht conuenientlie uſe and execute the ſaid commiſſioun with ſic expedition as is requiſite: Thairfoir the ſaidis Lordis of Secreit Counſaill, at the humble and eirniſt deſire of the Generall Aſſembly of the Kirk preſentlie conuenit, hes thoct gude, concludit and

ordanit, That the said commissioun and actis foirfaidis falbe putt in dew and full executioun be the personis respectivé eftir following, gevin in be thame in roll, within the burrowis, schirefdomis, stewartreis, and bailliereis, particularlie vndirmentionat, thay ar to fay, the Proueitis and Baillies of euery citie and burgh, Iusticeis and Commillionaris within the felff and liberteis of the same: And for the cuntrey to landwart, Robert Erll of Orknay, within the boundis of the schirefdome of Orknay; George Erll of Caithnes, Coline M'kanzie of Kintail, Thomas Frafair of Kinkky, Andro Monro of Dawachartie, Angus Williamefoun M'intoshe in Termett, and Johnne Vrquhart, Tutour of Cromarty, within the boundis of the schirefdomis of Inuernes and Cromarty; Johnne Campbell of Caddell, Schireff of Narne, Hucheoun Ros of Kilrawak, and Johnne Hay of Lochloy, within the boundis of the Schirefdome of Narne; James Erll of Murray, Patrick Dunbar, Schireff Wardatair of Elgin and Fores, Robert Innes of that ilk, Johnne Grant of Frewquhy, James Dunbar of Tarbatt, and David Dunbar of Grangehill, within the boundis of the schirefdomis of Elgin and Fores; Williame Erll of Mortoun, Schireff Wardatair of Banff, Alexander Lord Saltoun, and Walter Ogiluy of Findlattir, within the boundis of the schirefdome of Banff; Johnne Maister of Forbes, Willialme Forbes of Cors, Alexander Irwing of Drwn, James Creichtoun of Frendraucht, Alexander Seytoun of Meldrum, Johnne Gordoun of Pithurg, Williame Keith of Ludquharne, and Williame Turing of Foverne, within the boundis of the Schirefdome of Abirdene; Williame Erll of Angus, George Erll Mairshael, Robert Lord of Altrie, Andro Lord Dingwell, Alexander Stratoun of Laurenfoun, Johnne Strauthachin of Thornetoun, Johnne Wilcheart of Pittarro, and Johnne Ramfay of Balmanne, within the boundis of the Schirefdome of Kincardin; Johnne Lord Hammiltoun, Thomas Maister of Glamis, Patrick Maister of Gray, David Lindfay of Edzell, James Skrymgeour of Dudop, Constable of Dundee, and George Haliburtoun of Pitcur, within the boundis of the Schirefdome of Forfar; Johnne Erll of Athoill, Duncane Campbell of Glenvrquhy, Thomas Stewart of Garntully, Alexander Blair of Bathiock, Williame Moncreiff of that ilk, and Patrick Ogiluy of Inchemartine, within the boundis of the schirefdome of Perth, Stermonth, and Dunkell; Johnne Murray of Tullibardin, Johnne Striuiling of Keir, and Mr Johnne Halden of Glennegeis, within the boundis of the stewartreis of Stratharne and Menteith, and diocie of Dunblane; Williame Erll of Mortoun, Alexander Commendatair of Culrois, Williame

Menteith of Kers, and Robert Bruce of Clackmannane, within the boundis of the schirefdomis of Clackmannane and Kinros; Andro Erll of Rothes, Schireff of Fyffe, James Lord Lindfay of the Byris, Mr Williame Lundy of that ilk, Andro Wode of Largo, and Mr David Carnegy of Culluthy, within the boundis of the schirefdome of Fyffe; Johnne Erll of Mar, Williame Lord Levingftoun, Alexander Forrefter of Garden, and Johnne Levingftoun, gOUNGair, of Dunnypace, within the boundis of the schirefdome of Striuling; George Dundas of that ilk, Nicol Cornwall of Ballinhard, and David Dundas of Preiftifinche, within the boundis of the schirefdome of Lynlythqw; Archibald Naper of Marchinfoun, Robert Fairlie of Braid, and Patrick Monypenny of Pilrig, within the boundis of the schirefdome of Edenburgh; Williame Erll of Angus, Francis Erll Bothuile, William Lord Hay of Gefter, Schir Johnne Maitland of Thirlftane, Knycht, Chancellair, and Alexander Hwme of Northberuik, within the boundis of the Conftabularie of Hadingtoun and Dunbar; Schir James Hwme of Coldenknowis, Knycht, George Hume of Weddirburne, Alexander Hwme of Huttounhall, Patrick Hwme appeirand of Aytoun, Patrick Cokburne, Tutour of Langtoun, James Seytoun of Tullibody, and Mr Thomas Cranftoun of Moreiftoun, within the boundis of the schirefdome of Beruik or Mers; Williame Ker of Ceffurde, Walter Scott of Branxholme, George Douglas of Bonjedburgh, Johnne Cranftoun of that ilk, and Andro Ker of Fadounfyde, within the boundis of the Schirefdome of Roxburgh or Teuiotdaill; William Lord Hay of Gefter, Johnne Stewart of Tracquair, Williame Tuedy of Drummelzeair, and Patrick Murray of Fawlahill, within the boundis of the schirefdomis of Selkirk and Peblis; Johnne Lord Hammiltoun, Williame Erll of Angus, James Lord Someruile, James Maxwell of Calderwode, Johnne Stewart of Mynto, and James Hammiltoun of Libbertoun, within the boundis of the schirefdome of Lanerk or Cliddifdale; Ludouik Duke of Lennox, James Erll of Glencairne, Robert Lord Sempill, George Buchquhannane of that ilk, Johnne Schaw of Grenok, Williame Edmonftoun of Duntreith, and Vmphra Colhoun of Luf, within the boundis of the Lennox and schirefdome of Renfrew; Robert Maifter of Eglintoun, Thomas Lord Boyd, Johnne Blair of that ilk, and Thomas Cranfurde of Jordanehill, within the boundis of the baillierie of Cunynghame; Hew Campbell of Teiringeane, John Wallace of Cragy, Andro Lord Vchiltrie, and Williame Cranfurde of Leifnoreis, within the boundis of the baillierie of Kyle; Thomas Kennedy of Blair-



qubhan, Thomas Kennedy of Bargany, and Johnne Cathcart of Carlton, within the boundis of the baillerie of Carick; Alexander Stewart of Garleis, Vthrid M'douell of Garthland, and Schir Patrik Vans of Bernbarrauch, within the boundis of the schirefdome of Wigtoun; Johnne Gordoun of Lochinvar, Thomas M'clellane of Bombie, and James Lidderdale of Sanct Marie Ile, within the boundis of the stewartrie of Kirkcudbrycht; Johnne Lord Hammiltoun, James Douglas of Torthorwald, and Roger Greirfoun of Lag, within the boundis of the schirefdome of Drumfreis; Robert Lord Sanquhair, James Douglas of Drumlangrig, and Roger Kirkpatrick of Cloburne, within the Sanquhair or ovir pairt of Nythisdale; James Johnnstoun of Dunskenly, Charlis Murray of Cokpule, and Robert Johnnstoun, Laird of Newby, within the boundis of the Stewartrie of Annanderdale; Archibald Erll of Ergyle, and his Curatouris, within the boundis of the schirefdome of Ergyle; Angus M'coneill of Dunnyveg and Glennis, Lauchlane M'clayne of Dowart, Donald M'coneill Gorne of Slaitt, and Donald M'cloid of Harris, within the boundis of the Ilis.

Attoure the saidis Lordis of Secreit Counsaill, heiring findrie brwtis and rumouris alaweill of foreyne as intestine plattis and preparationis for the trouble of the trew and cristiane religioun presentlie professit within this realme, and perrelling of the Kingis Maiesleis estate and standing, depending thairvpon, baith having the same selff freindis and commoun enemeyis, subiect to the like event of standing and decay, hes thocht meit for the preventing of the danger threatned heirby, aweill to the ane as to the vther, That first of all, the godlie and weill affected perfonis, his Maiesleis gude subiectis, falbe knowne and decernit fra thame that ar of a contrair disposi-tiounne: And to that effect the saidis lordis hes given and grantit, and be thir presentis gevis and grantis full power and commillioun, expres bidding and charge, to the perfonis vnderwritten euery ane of thame within the boundis particularlie limitat to thame, as followis, Thomas Swyntoun, Hary Coluill, and Johnne Dunnone, within the boundis of the schirefdome of Orkney; Maister William Paip, Maister Robert Innes, William Gray, Youngair, Mr Johnne Robertfoun, Mr George Monro, Mr Robert Williamfoun, and Mr Thomas Houefoun, within the boundis of schirefdomis of Inuerness and Cromarty; Mr Robert Rait, within the boundis of the schirefdome of Narne; Mr Johnne Keith, Minister at Duffus, Mr Williame Douglas, Minister at Elgin, and Mr Johnne Forrester, Minister at Fores,



within the boundis of the schirefdomis of Elgin and Fores ; Mr Williame Strauchathin, Mr James Duff, and Mr George Nicolfoun, within the boundis of the schirefdome of Banff ; Mr Petir Blackburne, Johnne Strauchathin, James Reid, and Abraham Sibbald, within the boundis of the schirefdome of Abirdene ; Mr Andro Myn, Maister Williame Lesk, and Mr Alexander Arbuthnot, within the boundis of the schirefdome of Kincardin ; Maister James Meluill, Mr Paul Frafair, William Crystefoun, Mr James Nicolfoun, Mr Henry Guthrie, Mr Henry Duncane, Johnne Foullartoun, and Mr Thomas Ramfay, within the boundis of the schirefdome of Forfair ; Mr William Glaß, Mr William Rynd, Alexander Young, Mr Archibald Moncreiff, and Mr William Row, within the boundis of the schirefdome of Perth, Stormonth and Dunkeld ; Mr Andro Young, Mr Williame Striueling, and Alexander Fergy, within the boundis of the stewartreis of Stratharne and Menteith and diocie of Dunblane ; Johnne Dykis, Robert Rait, and Mr Alexander Wallace, within the boundis of the schirefdomis of Clakmannane and Kinrofs ; Mr Thomas Buchquhannane, Mr Andro Moncreiff, Mr James Meluill, and Mr Adam Michell, within the boundis of the schirefdome of Fyfe ; Johnne Dunkefoun, Mr Alexander Levingfoun, and Andro Forrefter, within the boundis of the schirefdome of Striuling ; Patrick Kenloquhy, Mr James Law, and Mr Robert Coluill, within the boundis of the schirefdome of Linlythqw ; Mr Robert Bruce, Mr Patrick Simfoun, and Mr Michael Cranfoun, within the boundis of the schirefdome of Edinburgh ; Mr Adam Johnnfoun, Johnne Hereis, and James Gibfoun, within Dalketh ; William Sandirfoun, Mr Cuthbert Boncle, Mr Thomas M'ghee, and Mr James Carmichael, within the constabularie of Hadington and Dunbar ; David Hwme, Johnne Clappertoun, and Robert Frenshe, within the schirefdome of Beruik or the Mers ; Mr Andro Clayhillis, Mr William Auchmowty, George Johnneftoun, Williame Balfour, and Mr Johnne Knox, within the schirefdome of Roxburgh or Teviotdail ; Mr Archibald Douglas, Minister at Peblis, Mr Johnne Welfhe, Minister at Selkirk, and Williame Sandirfoun, Minister at Innerlethine, within the boundis of the Forreft and Tueddale ; Mr Johnne Dauidfoun, Mr Robert Lindfay, and Mr Andro Hay, within the boundis of Cliddisdale or Lanerk ; Mr Thomas Jak, Mr Andro Knox, and Mr Patrick Walkinfhaw, within the boundis of the Lennox and Renfrew ; Mr Alexander Skrymgeour, Mr Alexander Wratoun, and Mr

Robert Wilky, within the baillie of Cunynghame ; Johnne Portarfeild, Mr Johnne Inglis, and Mr Petir Primrois, within the baillie of Kyle ; Johnne Mcorne, and Williame Young, within the schirefdome of Carrik ; Mr Niniane Mcclennoquhen, and Johnne Young, within the schirefdome of Wigtoun ; Mr James Hammiltoun, and Mr Dauid Blyth, within the stewartrie of Kirkcudbright ; Mr Hew Foullartoun, and Mr Williame Thomefoun, within the schirefdome of Drumfreis ; Mr James Bryfoun, and Johnne Foullartoun, within the Sanquhair or ovir pairt of Nythildail ; Alexander Gardner, within Annanderdale ; Mr Neill Campbell, Bishop of Ergile, within the schirefdome of Ergyle ; all and findrie Erllis, Lordis, Baronis, freehaldaris, gentilmen, inhabitantis of Burrowis, and vtheris his Hienes legis qubatfomeuir, off quhat rank and degree that cuir thay be of, to call and convene befor the saidis Ministeris, be thair millie letters or messingeris, at quatfumeuir placeis and dayis thay fall think expedient ; and thair require thame to giff the confellioun of thair faith, togidder with thair subfcriptionis thairto, and to the generall Band maid and subfcriuit alreddy be his Hienes and certane of his Esteatis, twicheing the maintenance and defens of the said trew religioun, his Maieftis persone and estate, and withstanding of all forryne preparationis and forceis tending to the trouble thair of : And in cais ony personis fwa requirit diffobey, that the Ministeris of Godis worde proceed to admonitionis ; and finding thame obftinat, caus the censures of the Kirk be vfed aganis thame, as enemeyis to God, his Maieftie, and the commoun wele of this thair natie cuntrey : And that the saidis Ministeris crave the concurrence of the Noblemen, Baronis, and Gentilmen, within the boundis particularlie aboue writtin, for the better executioun of the premisses : And that letteris be direct to mak publicatioun heirof, be oppin proclamatioun, at the mercat croceis of the heid burrowis of this realme, and vtheris placeis neidfull, quhairthrow nane pretend ignorance of the fame : As alwa to command and charge the Noblemen, Barronis, Ministeris, and vtheris foirfaidis, to accept vpoun thame the commiffioun gevin to euery ane of thame in maner particularlie aboue mentionat ; and to reporte thair diligence tuicheing the executioun thair of to the Clerk of his Hienes Secreit Counsale, betuix and the twentie day of May nixt to cum, vnder the pane of rebelloun and putting of thame to the horne ; with certificatioun to thame and thay failzie, thay falbe denunceit rebellis and putt to the horne ; and all thair mouable guidis effeit and inbrocht to his Maiefties vse for thair contemptioun : And ficlike, to

command and charge all and findrie his Hienes legis, to reddilie anſuer, intend and obey, concur, fortifie and aſſiſt the ſaidis Commiſſionaris in the executioun of the premiſſes ; and to do nor attempt na thing to thair hinderance ; as thay and ilk ane of thame will anſuer to his Hienes vpoun thair obedience and allegiance, and vndir all hieſt pane, cryme and offens that they may committ and inrin aganis his Maieſtie in that behalff. R. S. C.]

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[The copy of the Band touching the maintainance of the true religion, the Kings Maieſties perſon, and eſtate ſeverally, to be ſubſcribed be all Noblemen, Barrons, Gentlemen, and others, according to the tenour of the act of the Secret Counfell, and Commiſſions their contained.

We underſubſcribing, conſidering the ſtrait linke of conjunction betuixt the true and Chriſtian religion preſently profeſſed within this our realme, and Sovereaining Lords eſtate and ſtanding, haveing both the ſelf ſame friends and common enemies, and ſubject to like event of ſtanding and decay, and weighing therewith all the imminent dangers threatned to the ſaid religion, as well by forraigne preparations for proſecution of that deteſtable conſpiracie againſt Chriſt and his Evangell, called the holy league, as by outward and inſeſtine practiſes of the favourers and ſuppoſts thereof amongſt ourſelves, who now animated be the reporte of forraigne pouers repairing to this realme, beginne more plainly to utter and profeſs their long conceived evill meaning to the truth, and conſequently to the ſtanding of his Maieſtie, our Sovereaign Lord, whom they have found and tryed to be a conſtant inflexible profeſſour of the ſame, the preſervatione wherof being dearer to us nor whatſoever we have deareſt in this life ; and finding in his Maieſtie a moſt chriſtian and honorable reſolutione to manifeſt himſelfe unto the world that zealous and religious Prince quich he hath hitherto profeſſed, and to employ the means and pouer that God hath putt into his hands, as well to the withſtanding of whatſoever forraigne forces ſhall mean within this iſland, for alteration of the ſaid religion, or endangering of the preſent eſtate, as to the repreſſing of inward enemies therto among ourſelves, linked with them in the ſaid antichriſtian league and confederacie ; Have therefore, in

prefence of the Almighty God, and with his Majestie authorizing an allowance, faithfullie promised, and solemnly sworne, likeas hereby we faithfully and solemnly swear and promise, to take a true, effald and plain parte with his Majestie amongst ourselves, for diverting of the present danger threatened to the said religion, and his Majesties estate and standing depending thereupon, be whatfomever forces, or intesting plotts, or preparations; and to that effect faithfullie, and that upon our trutthes and honours, bind and oblige us to others, to convene and assemble ourselves publickly with our friends, in armes, or in quiet maner, at such times and places, as we shall be required by his Majesties proclamatiouns, or be writte or messenger directed to us from his Majesty, or any having pouer from him; and being convened and assembled, to joyne with the whole forces of our friends and favourers against whatsoever forraigne or intestine pouer, or papists and their partakers, shall arrive, or arise within this island or any parte thereof, ready to defend or persue as we shall be authorized and conducted be his Majestie, or any other having his pouer and commission, to joyne and hold hand to the execution of whatfomever mean or order shall be thought meet be his Majesty and his Counsell, for the suppressing of Papists, promotion of the true religion, and settling of his Highnes estate, and obedience in all the countries and corners of this realme, to expone and hazard our lives, lands, and goods, and whatsoever mean God hath lent us, in the defence of the said true and christian religion, and his Majesties person and estate, against whatfomever Jesuits, and Seminary or Messe Priests, condemned enemies to God and his Majestie, to their utter wracke and extermination, according to the pouer granted unto us by his Highness proclamations, and acts of Parliament; to try, search, and seek out all excommunicats, practisers, and others papists whatfomever, within our bounds and shires where we keep residence, delate them to his Highness and his Privie Counsell, and conforme us to such directions, as, from time to time, we shall receive from his Majesty and his Counsell in their behalves; and specially so many of us as presently are, or hereafter shall be appointed Commissioners in every shire, shall follow, persue, and travell, by all means possible, to take and apprehend all such papists, apostats, and excommunicats, as we shall receive in write from his Majesty; and we the remnent within that shire, shall assist and concurre with the said Commissioners, with our whole friends and forces to that effect, without respect of any person whatsoever; and generally to assist, in the mean time, and defend every one

of us another, in all and in whatsoever querrels, actions, debaites, moved or to be moved against us or any of us upon action of the present Band, and other causes depending thereupon; and joyne in defence and persute against whatsoever shall offer or intend any injurie or revenge against any one of them for the premises, and making his cause and part that is pursued, all our partes, notwithstanding whatsoever privie grudge or displeasure standing betuixt any of us, which shall be no impediment or hinder to our said effauld joyning in the said common cause, but to lye over and be misknove till they be orderly removed and taken away be the order under specified; to which time we, for the better furtherance of the said cause and service, have assured, and by the tenour hereof, every one of us taking the burthen on us for ourselves and all that we may lett, assure each other to be unhurt, unharmed or in any wise to be invaded be us or any of our forsaids, for old feed or neu, otherwise nor be the ordenarie courle of law and justice; naither shall we nor any of our forsaids make any provocation of tumult, trouble or displeasure to others in any fort, as we shall answer to God, and upon our honours and fidelity to his Majesty; and for our further and more hearty union in this service, we are content, and consent, that all and whatsoever feeds and variances fallin, or that may fall out betuixt us, be, within four dayes after the date hereof, amicable referred and submitted to seven or five indifferent friends chosen be his Majesty of our whole number, and by their moderation and arbitrament composed and taken away; and finally, that we shall neither directly nor indirectly separat nor withdraw us from the union and fellowship of the remnant be whatsoever suggestion or privit advice, or be whatsoever incident regard or stay such resolution as by common deliberation shall be taken in the premises, as we shall answer to God upon our consciences, and to the world upon our truth and honours, and under the pain to be esseemed traitors to God and to his Majesty, and to have lost all honour, credit, and estimation in time coming; in wittnesse whereof his Majesty in token of his approbation and protection promised to us in the premises, and we by his authorizing and allowance foresaid have subscribed thir presents with our hands. C.]

A. D. M.D.XC.

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THE Generall Affemblie of the Kirk of Scotland, conveinit at Edenburgh vpon the fourth day of August 1590: Quher ther was affemblit the Commiffioners and Brethren vnderwrytin.

THE KINGS COMMISSIONERS.

My Lord Chancellour.

My Lord Blantyre

ARGYLE.

Mr Neil Campbell.

SETLAND, absent.

ORKNAY, absent.

CATHNES, absent.

SUDDERLAND, absent.

ROSS.

Mr James Robertfone.

## MURRAY.

Mr John Innes.

Mr James Raith.

Mr Alexander Rawfone.

BAMFE, absent.

## ABERDEIN.

Mr Peeter Blackburne.

Mr Gilbert Gardein.

## ANGUS and MERNES.

Mr George Glaidftanes.

Johne Fullertoun.

Mr James Dowglas.

William Chrystefone.

Mr Patrick Lindfay.

James Anderfoun.

Mr James Melvill.

Mr James Nicolfone.

Mr Andro Leich.

Mr George Hay.

Mr Robert Ramfay.

Mr Johne Hepburne.

Johne Durie.

Mr Thomas Ray.

Mr Johne Rig.

## DUNKELD.

Mr William Edmestoun.

George Graham.

Mr William Glaffe.

## STIRLING.

The Erle of Marre.

Minifters.

The Laird of Airth.

Mrs Hendrie Livingftoun.

The Laird of Kers.

William Couper.

Touch.

Richard Wicht.

Gargunnoch.

James Smith.



## DUMBLANE.

My Lord Drumound.  
The Laird of Keir.  
The Laird of Glennegies.

Ministers.  
Mrs William Stirling.  
Andro Young.  
Johne Davidfone.  
Alexander Chifholme.

## PERTH.

Mrs Archibald Moncreiff.  
William Rynd.

Hendrie Guthrie.

## FYFFE.

Mrs Andro Melvill.  
James Mertin.  
Patrick Melvill.  
William Cranstoun.  
William Marche.  
Andro Duncan.  
Thomas Buchannan.  
James Melvill.  
Nicoll Dalglesche.  
David Fergusone.  
Johne Fairfull.  
James Stewart.  
Edmond Myles.

The Earle of Mortoun.  
My Lord Lindfay.

Lairds.  
Balwirie.  
Colluthie.  
Pitmillie.  
Cambo.  
Balfour.  
Lumdie, Elder.  
Raith, Elder [and] Jonger.  
Kynneir.  
Abbotshall.  
Halhill.  
Weymis, Jonger.  
Cleith.  
The Abbot of Culros.  
The Maister of Sincklair.  
The Goodman of Stravithie.  
Kinnadie.  
James Elphingstoun.  
Johne Logane.

## LAUTHIAN.

## Lairdes.

Merchiefton.  
 Collingtoun.  
 Corftorphine.  
 Braid.  
 Dalmahoy.  
 The Goodman of Carbarrie.  
 James Richefoun of Smeitoun.  
 Thomas Hamiltoun of Preiftfeild.  
 James Hamiltoun of Rochbank.

## Minifters.

Mrs Robert Bruce.  
 James Balfour.  
 David Lindfay.  
 Robert Pont.  
 Johne Davidfone.  
 Johne Craig.  
 Johne Brand.  
 Johne Hall.  
 Patrick Simfon.

## HADDINGTON.

Mrs James Carmichell.  
 Thomas M<sup>c</sup>gie.  
 Thomas Graig.

The Lairds of Clerkingtoun.  
 Elphingtoun.  
 Cafhekejohne.

## LINLITHGOW.

Mr Robert Cornewall.  
 Mr John Spotifwood.

George Dundas of that Ilk.  
 Nicoll Cornewall of Ballinhard.

## DUNBAR.

William Sanderfoun.  
 Mr James Young.

James Dowglas, appeirand of  
 Spot.  
 Archibald Dowglas.

## DALKEITH.

My Lord of Newbattle.  
 The Laird of Ormeftoun.  
 Robert Porteous.  
 Adame Johnftoun.

Mrs Johne Bennett.  
 James Bennett.  
 Johne Herreis.

## MERS, TEVIOTDAILL, TWEDDAILL.

Mr Thomas Storie.	Johne Smith.
Mr Johne Hoome.	Alexander Lawder.
Robert Hiflop.	Mr Adam Dowglas.
Mr Patrick Gaitis.	Mr Williame Achmowtie.
Duncane Walker.	

## CLIDDISDAILL, RANFROW, LENNOX.

Andro Hay.	Mrs Robert Lindfay.
Thomas Jack.	Johne Loverance.
Mrs David Weymis.	Walter Stewart.
Johne Hamiltoun.	Archibald Spittell.
Robert Darroch.	

## KYLE, CARRECK, CUNIGHAME.

Mrs John Porterfeild.	Mrs John Inglis.
Johne M'korne.	Johne Cunighame.
Peeter Prymrofe.	Alexander Wittoun.

## GALLOWAY.

Alexander Stewart of Garlies.	Mr James Hamiltoun.
James Lidderdaile of the Ile.	Mr David Blyth.
Sir John Gordoun of Lochinvar.	Mr Niniane M'klennochane.
Johne Neilfoun of Craigcaffie.	Mr James Adamfone.

## NETHISDAILL.

Mr James Bryfoun.	The Laird of Drumlangrig.
Mr Hew Fullertoun.	The Laird of Cloburne.
Robert Lord Sanchar.	James Creichtoun of Carkeith.

## TOWNES.

## STRIVELING.

Arthur Bruce.

David Foster.

## LEITH.

William Menteith.

John Kyle.

## WIGTOUN.

Sir Alexander Stewart.  
Johne Hannay.

Mr James Adamfone.

## EDENBURGH.

William Litle.

Edward Galbrath.

Acta Edinburgi 4 Augusti 1590.

Sessio 1<sup>a</sup>.

Exhortatioun made be Mr James Melvill, Moderatour of the last Assemblie, the Kirk proceedit to the electioun of a new Moderatour; and appointing on the leits, Mrs Peeter Blackburne, Patrick Galloway, Johne Davidfone, David Fergufone, Nicoll Dalgleisch, the said Mr Patrick was chofin be pluralitie of votis hac vice.

Who desyrit certaine of the grave and learned brethren to be givin Affeffours to him, be whose advyce he may propone such things as were meitest to be treatit at this time, viz. Mrs Robert Bruce, Andro Melvill, Robert Pont, David Lindfay, David Fergufone, Peeter Blackburne, Neill Campbell, William Rynd, Johne Duncanfone, James Melvill, elder and

younger, James Carmichaell, Johne Davidfone, Nicoll Dalgleish, James Hamiltoun, Andro Hay, Robert Pollock, Peeter Prymrofe, Johne Innes, James Nicolfone, William Glaſs, quho were appointit to conveine with him at ten hours the morne, and two afternoone in the Gallerie, and on vther dayes, quhen ther is no fermoun, at aucht houres, and two afternoone.

Acta. Sessio 2<sup>a</sup>. Eodem die.

Commiſſioners of all countreyes were inquyrit quhat they had done concerning the executioun of the laſt act made againſt Papists, Jeſuites, Seminarie Preists, excommunicats, and thair intertainers, mercatts and vthers profanatiouns of the Sabbath day, non reſidents, and the reſt of the heids committit to the Preſbyteries and Commiſſioners.

Sessio 3<sup>a</sup>. 5 Auguſti.

Mr Johne Innes was accuſit for admitting Robert Dumbar to the Miniſtrie without the advyce of the Preſbytrie of Forres; quho anſuerit, Ther was no Preſbytrie ther the tyme of his tryall, but it was erected befor his admiſſioun, and he did it be the advyce of the Preſbytrie of Elgine, quherin he confeſſes he did raſchlie. The Kirk ordaines the ſaid Robert to be tryit de novo, and to be heard be the brether of Edenburgh, [and] the Preſbytrie therof, ſo many as falſe preſent, with ſo many as are heir of the Preſbytrie of Forres; and therafter, as the brethren beis ſatiſfied, and the Aſſemblye informit, farther to be proceidit agains the ſaid Mr Johne.

Sessio 4<sup>a</sup>. Eodem die.

It being bruitit that the Erle of Montrois intertainit Fintray, excommunicat, The Aſſemblye ordainit the Preſbytrie quher it ſould happin him to remaine, to charge him befor them, to try the bruit, and to admoniſch, conforme to the act of the Kirk; and in cace of diſſobedience, to proceid according to the mynd therof.

Sessio 5<sup>a</sup>.

My Lord Angus his excommunicatioun reduceit be reasoun of informality ; and becaufe ther is sufficient cause of such censure aganis my Lord in the said sentence, if the proceffe had bein formallie led, therfor the Kirk hes instantlie desyrit his Lordship to remove the cause ; and to that effect most diligentlie care that the Sabboth be not violatit be faires or mercatts within his awin bounds ; that no labouring nor carriage be vsit within the famein, and that his vassalls compells not his tennents to vse carriage on the Sabboth ; and lykewayes to travell with them, that they give some day of the weik to thair tennents, as to sheare and lead thair cornes, that they be not abstractit from the kirk on the Sabboth : Whose ansuer was, That with all the diligence he could, he sould travell to that effect ; and, at the ryling of the Lords, sould ryde home himselfe to Dowglas, and hold a court, and make laws and penalties for restraining of violatioun of the Sabboth.

My Lord Somerwaill being present, alledgit the priveledge of his infestment for halding the mercatt of Carnwath on the Sabboth ; notwithstanding he condiscendit that no mercat nor faire sould be keiped ther on the Sabboth : and in cace of his failzie, the Presbytrie ther was commandit to proceid aganist him according to the act of the Kirk.

Anent the lament made be the brether of the manifold kynds of violatioun and profanatioun of the Lords day, as ganging of mylnes, salt pannes, shearing and leading of cornes, carieing of victuall and furnishing to and from burrowstounes : The Assemblie, as of befor, declares the same to be vnlaifull, aganis the Law of God and acts of Parliament, and ordaines the violatours therof to be punished according to the ordinance made of befor ; discharging [the] burrowstounes for receiving of the loads and cariages brocht vnto them on the Sabboth day. Ordaines the Presbyteries to travell with the gentlemen within thair bounds, to grant some weik day vnto thair tennents to that effect, [to lead and shear their own corns.]

And farther, for better observatioun of the Sabboth, ordaines the hail pastours that are present to give in a roll of the names of the persons quhilk may best stop the [holding of] mercatts within thair bounds, [upon the

Lords day ;] to the effect his Majestie may be requesit to interpone his authoritie, to command the samein to them, or vtherwayes to call them in cace of refuseall.

Sessio 6<sup>a</sup>. Eodem die.

Mr Thomas Dowglas was accusit for mariage of my Lord Errol and his spous without his awin parochin, being ane of his parochiners.

Sir James Williamfone, Johne Logane, sometyme Monk of Newabbay, excommunicat for profaning of the sacraments.

Sessio 7<sup>a</sup>.

Simfone transportit from Cramond to Stirling.

Sessio 8<sup>a</sup>.

Ane supplicatioun was presentit be the parochiners of Endercharitie, craveand a Pastour quho will not, in thair prejudice, transact with the patron of thair kirk, my Lord of Craufurd, and sell thair teinds ovr thair heids ; and that no person be admittit to the said benefice bot such as fall interdyte themselfe either to the Provinciaill Assemblie of Angus and Mernes, or then to the Presbytrie quhilk fall happin to try him : and they desyre ane commissioun to be givin to the Presbytrie of Dundie to that effect, in respect non patet tutus accessus to the Presbytrie of Brechin, and [the parochie] is neirer to Dundie.

The Assemblie, after advysement heirof, ordaines the brethren of the Presbytrie of Brechin, or such as they fall direct of thair number, instructit with thair commissioun, together with the Presbytrie of Dundie, to concurre together within the Towne of Dundie to the tryall of the person quhilk fall happin to be presentit be the said Lord ; and befor they give him any admissioun, that he be sworne and interdytit that he fall on na wayes sett taks or make rights of the saids complainers teinds to no maner of person, without the speciall consent of the Generall Assemblie had ther-



to, according to the acts of the same ; and lyke wayes give his speciall consent that the said interdictioun falbe publischit, vther wayes not to admitt him in any wife.

In prefence of the Kings Majestie, the Moderatour proponit to his Grace three speciall articles, quhilk the Kirk hes presentlie to crave at his [Hienes] hand, viz. the ratificatioun of the liberties of the Kirk ; the purging of the land of Jesuits, Papists, Seminarie Priests, abusers of the Sacraments ; and last, provisioun of every kirk of a sufficient Pastour, and a sufficient living : To the quhilks his Majestie answered, That in all Parliaments, first, the liberties of the Kirk are ratified. His will they know concerning Papists and Jesuites, and how earnest he is to purge the land of all such. As to the provisioun [of Kirks,] he hes but his part : many moe hes entres therin ; desyring that they would cause Mrs Robert Bruce, David Lindsay, Robert Pont, and the Moderatours selfe, to awaite vpon the Counsell for ansuering therof, and conferring with the Counsell theranent ; quhom the Assemblie nominat to that effect.

[The King willed the Ministers to purge themselves, and to be impartiall in their own cause. It was his duety, said he, as well to see them reformed, as it was theirs to urge him and the Nobility to reforme themselves. In no point was he so earnest in as in this. In end, his Majesty praiseth God that he was born in such a time, as in the time of the light of the Gospell, to such a place as to be King, in such a Kirk, the sincerest Kirk in the world. The Kirk of Geneva, said he, keepeth Pasche and Yuile. What have they for them. They have no institution. As for our neighbour Kirk in England, it is ane evill said messe in English, wanting nothing but the liftings. I charge you my good people, Ministers, Doctors, Elders, Nobles, Gentlemen, and Barrons, to stand to your purity, and to exhort the people to do the same ; and I forsooth, so long as I brooke my life and croun, shall maintain the same against all deadly &c.]

The Assembly so rejoyced, that there was nothing but loud prailing of God, and praying for the King, for a quarter of an hour. C.]

Humble petitions of the Generall Assemblie cravit at his Majestie and honourable Counsell.

First, In respect that many things hes bein promised befor, and no executioun following therevpon, that now performance may be therof, and the special declaration of the meane and performance therof.

Item, A ratificatioun is craveit of all lawis that hes bein made for the weill of the true Kirk, togither with ane new act of Parliament specially establishing the Kirks jurisdic*t*ioun, thair Generall and Synodall Assemblies, Presbyteries, and Discipline; and all acts made contrair to the libertie and jurisdic*t*ioun of the said Kirk, preceeding the dait heirof, may be abolis*h*it: and quhill ane Parliament may be had, the said acts to be concludit in Counsell and Conventioun of Estates, if any fall happin in the meane tyme to be haldin.

The purging of the Kirk and countrey of all Jesuits, and Papists, Seminarie Priests, and excommunicats.

Ane law for repressing of the abusers of the holy Sacraments.

Ane law and meane quherby Ministers may be poss*e*ss in thair gleibs and manses, and peaceable enioy them, and the contraveiners may be represt and punished.

Ane ordour for thame that were at the Brig of Die.

Ane law and ordinance for breaking of the Sabboth.

Ane law and ordinance agains them that troubles or hurts Ministers gangand to thair kirks and executing thair offices.

Ane strait law for repressing of the great bloodshed and murther in the countrey and all the quarters therof, that the land may be purgit of the famein.

That all kirks within the countrey be suffici*e*ntlie plantit with Ministers, Teachers, and vther necessar Office Bearers, and sufficient stipends appointit to them for serving of thair cures, out of the best and readiest of the teynds and vther rents mortified to the vse of the Kirk; and the haille rest to be imployit vpon Colledges, vpbringing of the youth, sustentatioun of the poore, the fabrick of the Kirk, and vther commoun affaires therof.

Sessio 9<sup>a</sup>. 8 Augusti.

My Lord Angus gave in ane supplicatioun, desyreand command to be givin to the Presbytrie of Lanerick vpon his presentatioun to the Personage of Carmichell, quherof he is patrone, to give admissioun. The Kirk ordaines the Presbyteries of Glasgou and Lanerick to concurre together for decyding and taking ordour finally therin.

Sessio 10<sup>a</sup>. Eodem die.

Forfameikle as it is certaine that the Word of God cannot be keipit in the awin sinceritie without the holy discipline be had in observatioun: It is therfor, be commoun consent of the haill brether and Commisioners present, concludit, That quhosoever hes borne office in the Ministrie of the Kirk within this realme, or that presentlie beares or heirafter fall beare [office therin,] falbe chargit be every particular Presbytrie quher thair residence is, to subscribe the heids of Discipline of the Kirk of this realme, at lenth sett downe and allowit be the act of the haill Assemblie in the Booke of Policie, quhilk is registrat in the Register of the Kirk; and namely the contraverted heids be the enemies of the Discipline of the reformed Kirk of this realme; betuixt and the nixt Synodall Assemblie of the Provinces, vnder the paine of excommunicatioun to be execute aganis the non subscrivers; and the Presbyteries quhilk falbe fund remis or negligent heirin, to receive publick rebuik of the haill Assemblie: and to the effect the said discipline may be knowin, as it aught to be, be the haill brether, it is ordainit, That the Moderatour of ilk Presbyterie fall receive from the Clark of the Assemblie a copie of the said Booke, vnder his subscriptioun, vpon the expensis of the Presbyterie, betuixt and the first day of September nixt to come, vnder the paine to be oppinlie accusit in the face of the haill Assemblie.

It is thocht meitt and concludit be the Assemblie, Quher the Presbitries are weill constitute, that the ordour of Commisioners of Countreyes fall cease; and ane act to be advisit heiryvpon aganis the nixt meitting vpon Monday; quheras every Presbytrie fall have ready the names of such as

they think meitt for thair Presbytries, to expedie the plat for thair kirks, admitt persons presentit to benefices, and designe manes.

Anent the prejudice done to the Kirk be beneficed men, quhilk stands in two forts, viz. these within the Ministrie, and of ythers beirand no function therin: The Kirk ordanes the acts of the Assemblie to be considerit and sichtit againe on monday nixt, that it may be sein if ther be any act concludit aganis these persons that are not of the function of the Ministrie.

Sessio 11<sup>a</sup>. 10 Augusti.

[The excommunicatioun of William Earle of Angus, for the informality therof, was reduced, and] Johne Liverance, for his rash excommunication of the Erle of Angus, was ordainit to confesse his offence to God and to the said Nobleman, in presence of the congregatioun on a Sabbath day, at the kirk quher the said sentence was pronouncit; and the sentence reducing the said proceffe to be publickly intimate be a brother in audience of the congregatioun. [Yet because there was just cause of offence in the said Lord, the Assembly desired him to have a care that the Sabbath day be not violated within his bounds, be faires or mercats, labouring or cariage, and that his vassells compell not their tennands to cary loads on the Lords day; and that they grant to their tennands some week day to shear and lead their corns. The Earle promised, at the rising of Session, to hold a court in Douglass. C.]

Sessio 12<sup>a</sup>. Eodem die.

Robert Dumbar his admissioun to the Ministrie without the advyce of the Presbytrie of Forres, was found null, and rescindit be the hail Assemblie.

Anent the examinatioun befor the communioun: It is thought meitt for the commoun profite of the hail peiple, that ane vniforme ordour be keipit in examinatioun, and that ane short Forme of Examinatioun be sett downe be their breither, Mrs Johne Craig, Robert Pont, Thomas Buchannan, Andro Melvill, to be presentit to the nixt Assemblie.

Forſameikle as it beand with commoun conſent of the hail brether of the Aſſembly, reſolvit, That quher the Preſbyteries are weil and ordourlie [conſtitute,] the gearlie electioun and nominatioun of Commiſſioners over Countreyes, hitherto cuſtomable obſervit in the Aſſembly, is not neceſſar nor expedient, the ſamein Preſbyteries having eſtabliſchit in their awin ſelves a ſufficient power to ſend out [of] their awin number inſtruēt with their commiſſioun pro re nata, to take ordour with ſuch things as falls out in their bounds : Therfor it is thought meitt and univerſallie concludit, That the ſaid gearlie electioun of Commiſſioners over Countreyes quher Preſbyteries are weil and ſufficiently conſtitute, ſhall ceaſe in tymes comeing, and quherof befor the ſaid Commiſſioners buire the charge, to inroll the Miniſters and their ſhipends at the plat, receive preſentatiouns, and give collatioun therevpon, deſigne manſes and gleibs ; that the ſaid weil conſtitute Preſbyteries ſhall gearlie, ilk ane of them, ay and quhill the neceſſitie therof craves, elect and chooſe ane out of their awin number ane brother, in name of the hail Preſbytrie, for inrolling and expeditioun of their ſhipend at the plat ; authorizit and inſtruēt be them, with commiſſion ſubſcrivit be the Moderatour and Clark of the Preſbytrie to be ſhawin and producit to the Modifiers ; and the ſamein Commiſſioner to deſigne manſes and gleibs within the bounds of the ſaid Preſbytrie ; [and] in all things concerning the execution of his commiſſioun, to be comptabill and ſubieēt to the cenſure and judgment of the Preſbytrie, quhom fra he receivit the ſame ; and that all preſentatiouns, in tyme comeing, be direct to the Preſbyteries quher the benefice lyis : Always in admiſſioun or deprivation of Miniſters in Buchane, Aberdein, Garioch, and Marre, that Aberdein and Buchan proceed with mutuall advyſe in admiſſioun and deprivation of Miniſters ; and likeways Mar and Garioch, with mutuall advyce of vthers ; in caſe of variance the matter to be committit to the Aſſembly.

Anent the ſupplicatioun givin in be James Herring, deſyring the Kirk to call in William Blair, and to travell with him to give his conſent to the mariage of Agnes Blair his daughter, and if he had no cauſe of reſuſcall, to give command to the Miniſter of the paroch to proclaim their bands and compleit the mariage, notwithstanding quhatſumever ordinance made be them of befor : The Aſſembly having heard both the ſaid parties, Finds that the ſaid James hes not get ſatiffied their ordinance, and therfor ordaines him to delyver peaceablie in the hands of the Magiſtrats of Perth, the ſaid Agnes to be delyverit to her father, vpon cautioun and ſecuritie

to be tane be the Magiftrats forfaids for her securitie ; or failgeing of the faid securitie, to be delyverit be the faids Magiftrates to her goodfather, betuixt and the first day of September nixt to come, vnder the paine of excommunication, to be execute againft him be the Presbytrie of Dundie, be the advertifement of the Presbytrie of Perth, befor quhom, after her delyverance, the faid father fall propone his reafons of refufeall, to be judgit be them : and in the meanetyme difcharges all Ministers of proclamatioun of the faids bands, or compleiting of the faid mariage, quhill the faid caufe be tryit, and delyverance made, as faid is.

Sefſio 14<sup>a</sup>. Eodem die.

Forſameikle as it is confidderit that the patrimonie of the Kirk hes bein waſtit with ſick as are clad with benefices, quhilk is the occaſioun of lake of proviſioun to the Miniſtrie : Therfor all Presbyteries are commandit to try the beneficit men within thair bounds, and to examine in quhat eſtate and conditioun they receivit thair benefice, and in quhat conditioun they are preſentlie ; and els quhat they were that ſett takis and titles of thair benefice, or of any part therof, but conſent of the Generall Aſſembly ; and to report to thair Synodall Aſſemblies quhat they have found ; and als the faid Synodalls to try quher any thing is negleſtit be them, and to report to the Generall Aſſembly.

Becaufe great ſlander lyes vpon the Kirk throw manifold murthers, notorious adulteries and inceſts, and the parties being [brought] vnder proces, oft tymes eludis the Kirk, and ſchifts from place to place, quhairthrow the proces cannot weill be brocht to ane ſmall ſentence ; during all the quhilk tyme the ſlanders continues and increaſes : Queritur, Whither ſuch perſons falling into ſuch odious and horrible crymes may ſummarlie, vpon the notoritie of the cryme, be excommunicat or not. It is anſwerit to the faid queſtioun affirmativé.

Sefſio 15<sup>a</sup>. 12 Auguſti.

According to the directioun of the Kirk for reſtraining of the mercatts, and profanatioun of the Sabbath day, within Edinburgh, be ganging of

thair mills, receiving of loades within thair portes, selling of floure and fructuages, and such other violation of the said day : The Bailgies of the said brugh having directioun from the Counsell, declarit that the mynd of the Counsell is, notwithstanding of quhatsumevir difficulties, to doe quhat may ly in thair power for removeing therof, that all the rest of the burghes fall take no slander by them.

Sessio 16<sup>a</sup>. Eodem die.

Ordaines the brether of the Presbytrie of Edinburgh to perva the answer sett out be Mr Craig, against a pernicious wryting put out against the Confessioun of Faith, together with the preface made be Mr Johne Davidson ; and if they find meitt the samein be published, that they may be committit to print.

Sessio 17<sup>a</sup>. 13 Augusti.

Forfameikle as the dangerous insurrectioun made at the Brig of Die being considerit to have notoriouslie importit speciall prejudice to the true religioun, publickly profest and establischt be the mercie of God within this realme, nottheles the speciall authors and interprysers of the same remaining vnder the said slander, hes never meant to purge themselves therof, be confellioun of thair offence, and satisfieing of the Kirk of God therfor : The Generall Assemblie presentlie conveyit, for this cause, has givin thair full power [and commissioun] to the brether of the Presbytrie of Edinburgh, with the concurrence of ane of the Kings Majesties Ministers, viz. Mrs Robert Hepburne, William Sanderfoun, James Carmichael, Thomas M'gie, George Ramfay, Adame Johnston, James Law, John Spottiswood, to sumound befor them in Edinburgh, the Erles, Lords, Barrones, Frieholders, quhill were at the [said] insurrectioun, and speciall traffiquers and counsellors to the said Noblemen, and to charge them to acknowledge and confesse thair offence aganis the true Kirk of God and his religioun, and make satisfactioun for the slander committit be them therthrow, vnder the paine of excommunicatioun, and that betuixt and the first day of February nixt to come : Referring to thair discretioun the parti-



cular dyatts and ordour [of proces] to be keipit therin ; provydeing alwayes the said commissioun be execute betuixt and the said day : Requyreing thair brother, Mr Johne Craig, to remember this matter to the saids Commissioners, as he wold eschew the blame of the brether in cace of negligence.

Anent the provisioun of the Generall Visitours direct to the north and south parts, as als Commissioners to be nominat be thair Presbyteries : The brether nominat to the plat be the Kings Majestie, are ordainit to travell with the Modifiers, that the Commissioners of the Kirk may be provydit, and allignatiouns givin for that effect.

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A. D. M.D.XCI.

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THE Generall Affemblie of the Kirk of Scotland conveynit at Edinburgh, in the New Kirk therof, the 2 day of Julij in the year of God 1591.

Exhortatioun being made be Mr Patrick Galloway, laft Moderatour, the Kirk proceidit to the electioun of a Moderatour for this tyme; and putting on leits Mr Nicoll Dalglesche, Patrick Sharp, James Balfour, Johne Davidfone, the faid Mr Nicoll, be pluralitie of votis, was chofin Moderatour.

Sessio 2<sup>a</sup>. Eodem die.

Forfameikle as the alteratioun of the place of the Affemblie may move fome brether to caft a doubt of the authoritie of this Affemblie: The Kirk hes vottit that ther was ane reasonable and weghtie cause of the alteratioun therof, and that nothing is done in prejudice of thair act; the speciall cause being the defyre of his Majestie, quho, for fundrie reafons, willit the Affemblie to be keipit heir at this tyme, quherof if any brether wald be satisfiet farther, the brether on the conference fall resolve them; and that this is ane lawfull Affemblie, notwithstanding of the alteratioun forfaid.

Sessio 3<sup>a</sup>. 3 Julij.

Ordaines ane article to be givin in to the King and Counsell to take ordour with the colourit and vagabound Egyptians, quhilk defyles the coun-trey with all maner of abominatioun.

Anent the aēt made in the Assemblie concerning beggars : It is feimed expedient that the samein be publischit in every paroch be the Minister therof, and put to executioun be the Pastours als farre as concernes them, [as they will be answerable to the Kirk.]

Sessio 4<sup>a</sup>.

Anent the subscripcioun of the Booke of Policie injoynt in the last Assemblie : In respect the greatest part of the Presbyteries as get hes not satisfieid the ordour of the Kirk, the Assemblie hes ordainit thair former aēt to be peremit and execute betuixt and thair nixt Assemblie ; and the Moderatour of everie Presbitrie to lie to the executioun therof, vnder the paine of xl shillings, to be imployit to the vse of the poore, besyde the publick rebuik in the oppin Assemblie.

Anent sacriledge vniverfallie ringing through the hail realme : Seeing it is commonly esteinit no sin, and is vnknowin to many for the most part, It is thocht meitt that some travell be takin be some godly brether, to sett downe and draw the monster in the awin colours, and therfor desyres thair brether, Mr Robert Pont, to take paines on that subiect.

The Kirk present hes willit thair brether, Mrs Robert Bruce, David Lindfay, Peter Blackburne, Andro Melvill, Robert Rollock, Thomas Buchannan, James Carmichaell, Johnne Davidstone, and Johnne Johnstoun, or any thrie of them, to pervse and visite the said Mr Robert his Treatise, and to give thair judgement to him therin, to the effect that the samein being persytit, may be put in mundo, and presentit againe to the full Assemblie, that they may give thair opinioun therin.

Sessio 5<sup>a</sup>. 6 Julij.

Forfameikle as the ordour observit of befor, in giving power to certaine brether nominat therto, to reid and ansuer to the bills givin in to the Generall Assemblie, appeirs to some brether to be inconvenient and derogative to the Provinciaill Assemblies, specially in that far as the matters quhilks are thought doubtfome to thame and referrit to the full Assemblie, are committit to the decisioun of foure or fyve brether : It is thocht therefor expedient, in tyme comeing, that certaine brether be cholin and namit be the Assemblie, quho sall have power only to take in the supplicatiouns and complaints quhilk are to come before the full number, reid them, and consider if they come in pertinently before the Generall Assemblie ; and if they be impertinent, to give thair ansuer on the back of the bills ; and quher they are pertinent, to bring them back to the haill Assemblie to be ansuerit ther ; with thair opinioun in word, quhat they have considderit therof, and quhat they think meitt to be ansuerit.

Sessio 10<sup>a</sup>. 8 Julij.

Anent the question proponit, Whither they quho usurpes the names of Bischops, and have been sometyme in the Ministrie, and now neither will serve the Kirk themselves quherof they take vp the fruites, neither pay the stipends of them that serves as they are appointit be the plat, ther being sufficient rent to doe the same, bot spends the same in profane vses, aught to be censured be the Kirk ; and if they will not amend, be excommunicat : It is ansuerit, Such persons aught to be censured be the Kirk ; and if they amend not, to be excommunicat.

Sessio 11<sup>a</sup>. Eodem die.

Compeirit my Lord Provand, President, with my Lords of Culros and Barnbarroch, and in name of the haill Sellioun declare, that they vnderstand that my Lord of Halgeards, one of thair number, was yesterday callit, at the instance of Mr Patrick Simfone, [Minister at Sterling,] for calling

him a suborner, befor them: Quhilk matter infidentlie depends befor them, being ane civill [cause,] and proper vnto thair cognitioun, and quhervnto the Kirk is not judge; desyring, therfor, that the Kirk shold not proceed in thair judgement thervpon vntill the cause before them tooke ane end, quherin, so diligentlie as was possible, they were proceeding; and that they shold doe nothing to the derogatioun of the privedge of the Colledge of Justice.

After they were removit and the Kirk advysit with thair petitioun; being callit in againe, the Assemblie answerit, That they wold doe nothing to hurt nor to derogat thair privedge, nor get proceed or judge in any civill matter; bot in this cause, being chiefly occupied in purging the members of thair awin bodie, quhilk is ecclesiastick, they might judge without any prejudice to the civill judgment; desyreand the Lords as they wald not hinder nor wisch the hinderance of thair judicature, so they wald not think evill that the Kirk proceed in purging of thair awin body and middling ecclesiastically.

Sessio 13<sup>a</sup>. 9 Julij.

Anent the forsaide matter: The Assemblie, after grave reasoning had, if it was expedient to proceed in this cause before the Lords of Session had givin thair decision, thocht meitt that my Lord Justice shold be demandit if he acknowledged the judgement and jurisdiction of the Kirk [in this cause] or not. Who being callit and inquiryt as said is, answerit, That he acknowledged with reverence the judgement of the Assemblie in all causes appertaining to them: Bot vnto this cause quhilk is civill, quhervnto the Lords are primario Judices, before quhom also it presentlie depends, they cannot be judges primario.

Esir the quhilk answer, being removit, and the Kirk farther being advysit, calling his Lordship in againe, they pronounced, That they fand themselves Judges primario in this cause, and instantlie to proceed therein; requyring him quhat farther he wald propone or alledge for his defence in that cause: Quho tooke instruments of thair interlocuter, protesting for remeid of law; quhilk protestation, because it was made verbo, and conteinit many heids, he was desyrit to give in to the Clerk in wryte.

Sessio 15<sup>a</sup> 12 Julij.

Anent the act of the Lords of the Checker, proceeding vpon ane supplicatioun made be the brether of the Ministrie to them, daitit at Halirudehous the 10 day of Februar 1591, declaring thair meaning to be, that all Ministers that hes vitiat any benefices of cure, in haill or in part, be purchasing vnto themselves, thair aires, and assignayes, long taks of the same within the worth of the saids benefices, be compellit be the censures of the Kirk to restore them againe in thair awin integritie, to the Ministers presentlie serving the cure; and to that effect requyres the Generall and Synodall Assemblies, Commillioners, and Presbyteries of the bounds quher the saids benefices lye, to take tryall of such persons, and to proceed against them as said is, in most strait forme, according as such a great enormitie in Ministers craves, ay and quhill they have redintegrat the benefices quhilk hes bein corrupted and vitiat be them as said is, but any farther proces of law to follow therupon; as the said act subscrivith be my Lord Chancellor, Newbattle, Sir Robert Melvill, Parbroth, Blantyr, Carmichell, Lincolowden, Colluthie, and Mr Patrick Jong, beirs: The Generall Assemblie of the Kirk being advysit therwith, allowis and approvis the said act and advyce of the said Checker, and ordaines the same to be put in executioun in everie Presbytrie, according to the tenour therof.

Sessio 16<sup>a</sup> Eodem die.

The Assemblie ordaines vniverfallie, that the acts of discipline conteinit in the acts of the Generall Assemblie, be keptit asweill in Angus and Mernes as all vther parts.

Sessio 17<sup>a</sup>.

Forfameikle as it beand deeplie confidderit be the Kirk, that many things have bein done be them, and be vthers pretendand the title and name of the Kirk, greatlie prejudiciall to themselves, thair discipline, and also the patrimonie, [and living] of the Kirk; and that, be priveledge of good lawis, it is

grantit and leifum to them to remeid themselves be revocation therof: Therfor the haill Assemblie, after grave and mature deliberatioun, hes revockit, and be thir presents revockes, all and quhatfumevir things done be them, or vthers cloathing them with the name of the Kirk, prejudiciall to themselves, thair discipline, thair patrimonie, and living, as being enormlie hurt therby; and protests according to the dispositioun of the said law solemnly, as they may be hard in tyme and place, to feik remedie therof: and for more speciall expreffing and more particular declaratioun therof, hes willit thair brether, Mrs Robert Pont, David Lindfay, Robert Bruce, and Andro Melvill, to conceive in wryte the forme therof; the copie quherof ilk Presbitrie is ordainit to receive, and to give command to the Pastours within thair bounds, to intimat the said revocation made in this Assemblie from thair pulpitts.

Anent the forme of examinatioun befor the Communioun, pennit be thair brother Mr Craig: The Assemblie thocht it meitt to be imprintit, beand be the author therof contractit in some shorter bounds.

Humble petitiouns of the Generall Assemblie of the Kirk, cravit at his Majestie and Counsell.

It is craveit, The acts of Parliament made for suppresing of the enormities following may be put to executioun: First, against Jesuites, such as Mr James Gordoun, and the receipters of them; and of excommunicats, such as the Laird of Fintrie and the Master of Angus; profainers of the Sacraments; privat men and wemen givers therof; idolaters, pilgrimaggers, papistical Magistrates; sayers and heirers of the mess; givers of the Sacraments according to the papificall forme, and receivers of the samein; committers of apostasie; publick mercatts vpon the Sabbath day; violent invaders of Ministers be strieking of them or shedding of thair blood; profaners of the Sabbath day be Robein Hoodes playis; murderers and blood shedders quhilk overflow the land.

Item, That the Ministers plantit may be sufficiently provydit; and also that the Ministers may be provydit to sufficient living of the kirks vnplantit.

Item, The act [of Parliament] of Annexatioun to be dissolvit: The new erectiouns and patronages be dischargit: The act of dissolutioun of Prelacies and benefices, consisting of mair kirks nor ane, be ratified and estab-



lished : The act of Feberwar [Anno 1587,] without the exceptioun the aught of Junij eikit to it, may have place : That small benefices disponit to Ministers may be frie of all taxatiouns : That manfes and gleibs be designit of Kirklands, Abbayis, Freir lands, and quhatsumevir Kirklandis : That manfes and gleibs have thair liberties of foggie, fewall, and pasturage : That comoun kirks be disponit to Ministers serving the cure : That every kirk be provydit of ane sufficient Pastour, and ane competent living allignit to him for his service.

The Generall Assemblie of the Kirk gives full commissioun and power to thair lovit brether, Mrs Robert Bruce, Robert Pont, David Lindfay, with his Majesties Ministers, to present vnto his Grace and Counsell humble petitionous and articles of the Kirk, and with all reverence and humility crave ansuer therof, conferre and reason, if neid beis therupon, and report ansuer to the next Assemblie.

The Generall Assemblie of the Kirk is appointit at Aberdein, the 17 day of August 1592, [but] in cace ane Parliament interveine ; in the quhilk cace the brethren being advertised therof be the Presbytrie of Edinburgh, fall hold thair Assemblie quher the Parliament salbe for the tyme, and conveine two dayes befor the same.

A. D. M.D.XCII.

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At Edinburgh, the Generall Assemblie of the Kirk of Scotland conveinit upon the 22 of May 1592.

Exhortatioun beand made be Mr Nicoll Dalgleish, the Moderatour of the last Assemblie : The Kirk proceidit to the electioun of a Moderatour, and appointit on the leits, Mrs Robert Bruce, David Lindsay, James Balfour, and James Nicolsone. The said Mr Robert, be pluralitie of votis, was electit Moderatour hac vice.

Sessio 2<sup>a</sup>. 23 Maij.

Forfameikle as the necessitie of the tyme requyres that the gravest and weghtiest heids be first handlit ; it was proponit to the hail brether to consider and decerne, If they thought meitt or not, the Kirk shuld make sute for the Articles following :

First, That the acts of Parliament made in the zeir of God 1584 aganis the discipline of the Kirk, libertie and autoritie therof, be annullit ; and the samein discipline quherof the Kirk hes bein in practife, ratified.

Secondly, The abolitioun of the Act of Annexatioun, and restitution of the patrimonie of the Kirk.

Thirdlie, That Abbots, Pryours, and vther Prelats, pretending the title of the Kirk, and votting for the samein, without thair power and commiffioun, be not sufferit in tyme comeing to vote for the samein, either in Parliament or vther Conventioun.

Last, That the countrey, quhilk is pollutit with fearefull idolatrie and blood, be purgit.

Quhilk haill articles the full Affemblie thought most necessar to be cravit : and for putting the same in good ordour, employit thair brether, Mrs Robert Pont, David Lindfay, Thomas Buchannan, James Melvill ; willing them to present the samein, at ten hours, to the full Affemblie to be considered be them.

As concerning the voting in Parliament in name of the Kirk, If it falbe thought leifum the Ministrie shuld succed in that part in the Prelats place: It is referritt to consultatioun quhill the morne. And every Minister is ordainit to wey and debait the argument with himselfe, and be ready the morne to reafone thair opinioun in the same.

#### Sessio 5<sup>a</sup> 24 Majj.

It is ordainit, in tymes comeing, that the brether receiving commiffiouns from the Kirk, and slouthfullie overseing the execution therof, falbe rebukit in the face of the Affemby for thair negligence.

#### Sessio 6<sup>a</sup>

Forfameikle as the Kirk considdering thair duetie first to God, and the necessitie of the charge quhilk is impolit vpon them, seeing the daylie decay of religioun, and lake of justice, quherof the effects, to the regrate of all true Christians, mair and mair falls out in miserable experience ; and that the dewtie of thair office burdeineth them to discharge thair conscience in this behalfe to thair Soveraine, to quhom chieflie it appertaineth to procure

remedie therof: Therfor directis thair brether quhilk were nominat befor, to present thair Articles to his Majestie, together with Mrs Nicoll Dalgleshe, Patrick Simfone, Patrick Sharp, John M'colme, and David Fergusone, to passe immediatlie to his Majestie to lament the daylie decay of religioun, discordour and lake of justice within this realme, to crave his duetie, as he wald answer to God, to be done for remeid therof, and gravelie to admonisch his Majestie, in the name of the Eternall, to have respect in tyme to the estate of the true religioun perishing, and to the manifold murthers, oppressiouns and enormities daylie multiplied through impunitie and lack of justice; and to discharge his kingle office in both, as he wald eschew the fearefull challenge of God, and turne his wrath aff his Majestie and the hail land: And to the effect his Majestie may be the better informit of the particulars, to lay down the same particularlie to him, and crave his answier, that they may report the same to the hail Assemblie.

Sessio 10<sup>a</sup>. Penultimo Maij.

Forfameikle as, at the speciall defyre of the Kirk, ane Forme of Examination befor the Communioun was pennit and formit be thair brother Mr Johne Craig, quhilk now is allowit and imprintit be the voyce of the hail Assemblie: Therfor it is thocht neidfull that every Pastour travell with his flock, that they may buy the samein booke, and reid it in thair families, that they may be the better instructit; and that the samein be red and learnit in lecture Schooles in the place of the Litle Catechisme.

Sessio 15<sup>a</sup>. 2 Junij.

Mr Alexander Dickfone compeirand, and [being] inquiryrit, If he had subscriyvit the Articles of Religioun presentlie professit and establischt within the Reformit Kirk of this realme, and communicat at the Lords Table, answierit, He did both [when he was a student] in the Colledge of Sanct Androes. And after being inquiryrit, In quhat heids he differs to subscribe, answierit, He had fundrie heids quherin he aggried not with the Confessioun

of Faith and Articles of Religioun forsaïd ; quherwith being prest be the Assemblie, and that either now be word, or the morne be wryte, he fould be special, at length plainlie avowit and protestit he differit from them in all the substantiall heids and points of religioun quherin the Papists contraverts with them : With quhilk confessioun and declaratioun forsaïd, the brether of the Assemblie being advyfit, fand that he had committit apostasie, and therfor to have incurrit the paines therof.

Sessio 17<sup>a</sup> 3 Junij.

Anent the supplicatioun of Mr Alexander Dickfone, in conclusion offer- and either to subscrivve the Confessioun of Faith, or within xl dayes to passe out of the realme, and to that effect desyreand to be fred from captivity : The Assemblie being advyseit therwith, desyrit the Bailzie of Edinburgh to take ordour with him according to the tenour of the act of Parliament, and to sett him frie vpon catioun.

Sessio 22<sup>a</sup> 6 Junij.

Anent the forme and ordour of excommunicatioun to be vsit against notorious murtherers : The Assemblie hes concludit that the ordour containit in the Booke of Excommunicatioun be keipit and followit out according to the tenour therof.

Anent the haynous and cruell murther of the Erle of Murray, committit be the Erle of Huntlie and his complices : The brether and Assemblie present hes gevin and givis ordinance and frait command to the brether of the Presbitrie of Brechin, quho hes already entrit in process with him, to proceed, with concurrence of twa brether of every ane of the Presbytries of Angus and Mernes, aganis him for the said cruell fact, according to the acts of the Assemblie.

Sessio 23<sup>a</sup> 7 Junij.

Anent the act made concerning deposit Ministers or Persons at this last Parliament: It was thought meitt in the nixt Parliament, or Conventioun haveing the force or commissioun of Parliament, to crave, that quher it els hes bein inactit, that notwithstanding the Pastour be deposit, the taks and titles sett be him fall nevertheles stand, it be now provydit and additt be the said act, That in cace the tack or title [be] sett after the committing of the fact for the quhilk the person is deposit, that such taks, factories, or titles quhatfumevir, falbe null and of none avail, force, nor effect.

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